

By Mr. MAGUIRE of Nebraska: Petition of business men of the first Nebraska congressional district, for Senate bill 3776, the Cummins bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of business men of Eagle, Alvo, Beatrice, and Johnson, Nebr., against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. NICHOLLS: Petition of citizens of the State of Pennsylvania, for construction of battleship *New York* in the Brooklyn Navy Yard and for the eight-hour clause; to the Committee on Naval Affairs.

By Mr. OLDFIELD: Paper to accompany bill for relief of John C. Dunehew; to the Committee on Invalid Pensions.

By Mr. A. MITCHELL PALMER: Memorials of Local Council No. 90, of Spring City, Pa., and Local Council No. 921, of Port Matilda, Pa., Junior Order United American Mechanics, for illiteracy test of immigrants; to the Committee on Immigration and Naturalization.

Also, petition of Local Union No. 228, United Brotherhood of Carpenters and Joiners; Washington Camp No. 601, Patriotic Order Sons of America; Newton (Pa.) Council, Morning Star Council, No. 29, Star Council, No. 68, and Penn Council, No. 106, Junior Order United American Mechanics, for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. RUCKER of Colorado: Petition signed by K. Howard and others, for the building of the battleship *New York* in a Government navy yard; to the Committee on Naval Affairs.

By Mr. SHEPFIELD: Petition of Hon. Fletcher W. Lawton, Hon. Henry K. Littlefield, and Hon. Henry C. Wilcox, members of the house of representatives of Rhode Island and Providence Plantations, against the free-fish schedule in House bill 32216; to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Thomas Congdon; to the Committee on Invalid Pensions.

By Mr. SHEPPARD: Petition of citizens of the first congressional district of Texas, against enactment into law by Congress of parcels-post recommendation; to the Committee on the Post Office and Post Roads.

By Mr. SIMMONS: Petition of citizens of New York, for construction of battleship *New York* in the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, petition of Stafford (N. Y.) Grange, No. 418, Patrons of Husbandry, against Canadian reciprocity; to the Committee on Ways and Means.

Also, petition of Local No. 24, United Brotherhood of Carpenters and Joiners of America, for enactment of more restrictive immigration laws; to the Committee on Immigration and Naturalization.

By Mr. SMITH of Michigan: Petition of John R. Black and 8 others, of Ogemaw County; Joseph Yelle and 40 others, of Marquette County; Thomas Hill and 9 others, of St. Clair County; William Smith and 34 others, of St. Clair County; Jesse Van Riper and 26 others, of Wayne and Monroe Counties; Frank Peters and 15 others, of Wayne and Monroe Counties; Rudolph Templeton and 11 others, of Sanilac County; W. B. Frost and 39 others, of Ingham County; L. McArdle and 39 others, of Iosco County; L. McArdle and 33 others, of Iosco County; and W. M. Osborne and 6 others, of Ogemaw County, all in the State of Michigan, for a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. THOMAS of North Carolina: Paper to accompany bill for relief of A. M. Williams; to the Committee on War Claims.

By Mr. THOMAS of Ohio: Petition of Standing Rock Council, No. 276, Junior Order United American Mechanics, for enactment of the illiteracy-test immigration law; to the Committee on Immigration and Naturalization.

By Mr. TILSON: Petition of Connecticut State Grange, favoring extension of parcels post; to the Committee on the Post Office and Post Roads.

By Mr. WILSON of Pennsylvania: Petitions of Washington Camps Nos. 385, of Beech Creek; 222, of Newberry; 612, of Unityville; 578, of South Williamsport; 158, of Hughesville; 574 of Williamsport; and 299, of Montoursville, Pa., Patriotic Order Sons of America, for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. WOOD of New Jersey: Petitions of Mercer County Central Labor Union and Local Union No. 62, American Federation of Musicians, Trenton, N. J., for construction of battleships in Government navy yards; to the Committee on Naval Affairs.

Also, petitions of Washington Camps Nos. 50, of Titusville, and 54, of Baptistown, Patriotic Order Sons of America, for House bill 15413; to the Committee on Immigration and Naturalization.

SENATE.

SATURDAY, February 11, 1911.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, whom alike the living and the dead praise, we thank Thee for this day of reverent memory and of tender recollection. We thank Thee, who art the giver of every good gift and of every perfect boon, for the lives and services of those whom our lips shall this day name. It is hard to yield up those who have labored by our side and have shared our councils. As they stand again before us in memory and again live in our hearts, teach our tongues fit words to utter our sense of loss and to voice our unchanged devotion. Sanctify to us, we implore Thee, the services of this day, and make us worthy of the fellowship of those who in newness of life dwell with Thee in Thy heavenly kingdom. Join our hearts with theirs, and unite our spirits with the faithful and true, there and here, in one light of faith, one beauty of holiness, one repose on Thee.

And unto Thee, our Father, who has loved us and hast given us eternal comfort and good hope through grace, will we ascribe praise now and forevermore. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Smoot and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. J. Browning, its Chief Clerk, announced that the House had passed the following bills:

S. 2469. An act for the relief of Alfred Childers;

S. 10348. An act to convey to the city of Fort Smith, Ark., a portion of the national cemetery reservation in said city;

S. 10594. An act to authorize S. G. Guerrier, of Atchison, Kans., to construct a bridge across the Missouri River near the city of Atchison, Kans.; and

S. 10595. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the House had passed the following bills, with amendments, in which it requested the concurrence of the Senate:

S. 10326. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 10327. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors;

S. 10453. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors; and

S. 10454. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House had agreed to the amendments of the Senate to the following bills and joint resolution:

H. R. 30135. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 30886. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 31161. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 32222. An act authorizing homestead entries on certain lands formerly a part of the Red Lake Indian Reservation, in the State of Minnesota; and

H. J. Res. 209. Joint resolution for the relief of Thomas Hoyne.

The message also announced that the House insists upon its amendments to the bill (S. 6953) authorizing contracts for the disposition of waters of projects under the reclamation act,

and for other purposes, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. REEDER, Mr. COLE, and Mr. SMITH of Texas managers at the conference on the part of the House.

The message further announced that the House disagreed to the amendment of the Senate to the bill (H. R. 26150) to authorize the cities of Boston and Cambridge, Mass., to construct drawless bridges across the Charles River, between the cities of Cambridge and Boston, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. MANN, Mr. WASHBURN, and Mr. ADAMSON managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16268. An act for the relief of Thomas Seals;

H. R. 30160. An act for the relief of John Lee, alias James Riley;

H. R. 32435. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 32674. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

H. R. 32675. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors.

The message further announced that the House had passed a concurrent resolution authorizing the enrollment clerk of the House in the enrollment of the bill (H. R. 14729) for the relief of Capt. Evan M. Johnson, United States Army, to strike out of line 10 of the engrossed bill the words "March 24, 1902," and insert "May 16, 1899," the latter being the date of the sinking of the transport *Meade*, mentioned in the bill in question, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3315. An act amending an act entitled "An act to amend an act to provide the times and places for holding terms of the United States court in the States of Idaho and Wyoming," approved June 1, 1898;

H. R. 18342. An act for the relief of E. C. Young;

H. R. 18857. An act for the relief of Laura A. Wagner;

H. R. 21646. An act for the relief of William Doherty;

H. R. 23361. An act authorizing the Hot Springs Lodge, No. 62, Ancient Free and Accepted Masons, under the jurisdiction of the Grand Lodge of Arkansas, to occupy and construct buildings for the use of the organization on lots Nos. 1 and 2, in block No. 114, in the city of Hot Springs, Ark.;

H. R. 29300. An act authorizing the Secretary of the Interior to sell a certain 40-acre tract of land to the Masonic Order in Oklahoma;

H. R. 30149. An act to transfer the military reservation known as Fort Trumbull, situated at New London, Conn., from the War Department to the Treasury Department, for the use of the Revenue-Cutter Service;

H. R. 31172. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors; and

H. R. 31859. An act to authorize the Chucawalla Development Co. to build a dam across the Colorado River at or near the mouth of Pyramid Canyon, Ariz., also a diversion intake dam at or near Black Point, Ariz., and Blythe, Cal.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the New Hampshire Daughters' Club, of Boston, Mass., praying for the preservation of forest reservations at the headwaters of navigable streams, which was ordered to lie on the table.

He also presented a memorial of the secretary of the municipality of Gobierno, Iloilo, P. I., remonstrating against certain language used in an address by Hon. Dean C. Worcester, secretary of the interior and a member of the Civil Commission of the Philippine Islands, before the Young Men's Christian Asso-

ciation, which was referred to the Committee on the Philippines.

Mr. McCUMBER presented a petition of members of the Book and Thimble Club, of Williston, N. Dak., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Manufactures.

Mr. SCOTT presented memorials of the Hutchinson-Stephen Hat Co., the Payne Shoe Co., Lewis Hubbard & Co., Noyes, Thomas & Co., the Hubbard-Bedell Co., the Abney-Barnes Co., the Schwabe Clothing Co., the F. H. Hammond Notion Co., the Charleston Hardware Co., the Thomas Shoe Co., the H. O. Baker Furniture Co., Loewenstein & Sons, and of the Business Men's Association, all of Charleston, in the State of West Virginia, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Valley Star Council, Junior Order United American Mechanics, of Limestone, W. Va., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. BRISTOW. I present two telegrams which I have received, and I request that they be read.

There being no objection, the telegrams were read and ordered to lie on the table, as follows:

DES MOINES, IOWA, February 10, 1911.

Senator BRISTOW, Washington, D. C.:

Bill increasing postage rate to 4 cents a pound would be ruinous to agricultural papers. These papers are doing more to improve farming and educate farmers than any other influence, not only by their own teaching but by publishing work of the Agricultural Department and colleges and experiment stations. This country needs the work of the agricultural press now more than ever before, and any restriction would be a national calamity.

HENRY WALLACE, Editor Wallace's Farmer.

BOSTON, MASS., February 10, 1911.

Hon. JOSEPH L. BRISTOW,
United States Senate, Washington, D. C.:

The Modern Priscilla, with 24 years' clean record, one-quarter million circulation, giving employment to 200 people, will face ruin if postage is changed from 1 cent to 4 cents per pound, unless the public bears the burden.

We ask for a fair deal. We protest against possible annihilation. Will you come to our relief?

THE PRISCILLA PUBLISHING CO.

Mr. KEAN. I present a telegram, in the nature of a petition, which I desire to have read. I suggest that it had better follow those presented by the Senator from Kansas [Mr. BRISTOW].

There being no objection, the telegram was read, as follows:

NEW YORK, February 11, 1911.

Hon. JOHN KEAN, Washington, D. C.:

For God's sake kill amendment increasing postage rate on advertising matter in periodicals.

NEW YORK MEDICAL JOURNAL.

Mr. BEVERIDGE. I should like to ask whether the Senator intends to do it.

The VICE PRESIDENT. The telegram will lie on the table.

Mr. KEAN presented a memorial of the Young Friends' Association of Mickleton, N. J., remonstrating against any appropriation being made for the fortification of the Panama Canal, which was referred to the Committee on Inter-oceanic Canals.

He also presented the petition of Felix S. Jacobson, of Arlington, N. J., and the petition of Curtis W. Tallman, of Atlantic Highlands, N. J., praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

He also presented a petition of Wilson Lodge, No. 272, Brotherhood of Locomotive Firemen, of Hampton, N. J., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of Edmund A. Horton, of New York City, N. Y., and the petition of Harry Wooten, of Atlantic City, N. J., praying for the enactment of legislation providing for the establishment of a department of public health, which were referred to the Committee on Public Health and National Quarantine.

He also presented the memorial of William Kugler, of Hillsdale, N. J., and the memorial of M. T. Richardson, of Ridgewood, N. J., remonstrating against an increase of the postage on advertising sections of magazines and other periodicals, which were ordered to lie on the table.

He also presented petitions of Washington Camps Nos. 73, of Hammonont; 61, of Flemington; 23, of Palmyra; 150, of Titusville; 86, of Smithburg; and 141, of Hopewell, Patriotic Order Sons of America; and of Local Union No. 178 and Local

Union No. 139, United Brotherhood of Carpenters and Joiners of America, of Jersey City, in the State of New Jersey, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. BEVERIDGE. I present a telegram, which I ask may be read and lie on the table.

There being no objection, the telegram was read and ordered to lie on the table, as follows:

DES MOINES, IOWA, February 10, 1911.

Senator BEVERIDGE, Washington, D. C.:

Bill increasing postage rate to 4 cents a pound would be ruinous to agricultural papers. These papers are doing more to improve farming and educate farmers than any other influence, not only by their own teaching, but by publishing work of the Agricultural Department and colleges and experiment stations. This country needs the work of the agricultural press now more than ever before, and any restriction would be a national calamity.

HENRY WALLACE, Editor Wallace's Farmer.

Mr. BEVERIDGE presented a petition of Major Robert Anderson Post, No. 369, Grand Army of the Republic, Department of Indiana, of Indianapolis, Ind., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

Mr. BURKETT. I present a communication from Henry C. Richmond, chief clerk of the House of Representatives of the Legislature of the State of Nebraska, which I ask may be printed in the RECORD and referred to the Committee on Public Buildings and Grounds.

There being no objection, the communication was referred to the Committee on Public Buildings and Grounds and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES, THIRTY-SECOND SESSION,
OFFICE OF CHIEF CLERK,
Lincoln, Nebr., February 6, 1911.

Hon. E. J. BURKETT,
United States Senate, Washington, D. C.

DEAR SIR: I have the honor to transmit herewith the following copy of a resolution passed by the house to-day. It has to do with house roll No. 71, a joint and concurrent resolution enacted by the legislature of 1909. The resolution of to-day is designed to get the goods. In short, we need that clock.

"Whereas the thirty-first session of the Nebraska Legislature duly passed a resolution memorializing the Congress of the United States to erect on the Federal building at Lincoln, Nebr., a large clock; and

"Whereas the chief clerk of this house was instructed thereby to transmit a copy of the resolution to each member of the Nebraska delegation in either House of the said Congress; and

"Whereas it appears that the resolution was not so transmitted; and

"Whereas the Congress of the United States has not ordered to be erected a large clock for the said Federal building: Therefore be it

Resolved, That the chief clerk of the thirty-second session of the Nebraska Legislature is hereby instructed to transmit the aforementioned resolution to each member of the Nebraska delegation in the House of Representatives and the Senate of the United States."

Yours, very respectfully,

HENRY C. RICHMOND, Chief Clerk.

Mr. BURKETT. I present a resolution adopted by the Legislature of the State of Nebraska, which I ask may be printed in the RECORD and referred to the Committee on Pensions.

There being no objection, the resolution was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

[By the House of Representatives, thirty-second session of the Legislature of Nebraska.]

A half century has passed into history since the guns of Sumter proclaimed the beginning of that great struggle between the Northern and Southern States of the Union—an internecine contest that has no parallel in the annals of war.

In this arbitrament by force of arms 2,000,000 men of the North stood to the front of battle, opposed by the men of the South, no less skilled in the art of war, no less determined and courageous.

During the four years' continuation of this Titan struggle for supremacy, from Sumter to Appomattox, to finally settle the question whether or not "this Nation, under God, should have a new birth of freedom, and that government of the people, by the people, for the people, should perish from the earth," 359,458 soldiers of the Union gave up their lives, 275,175 were maimed, and 428,664 discharged by reason of disabilities incurred in line of duty.

In the light of history and in contemplation of these 50 years of most marvelous national prosperity, achievement, and progress, and, above all, in contemplation and enjoyment by all of our people of a more perfect Union, years that have tempered with a broader charity the judgments of men, crumbled to dust the bastion and the redoubt, carpeted with verdure the scarred fields of battle, and garlanded alike with wreath and flower the graves of those who wore the blue and those who wore the gray, no man will be found to say that the soldiers of the Union suffered for naught or laid down their lives in vain.

Of the 2,000,000 enrollments in the Union Army there survive approximately 400,000, of an average age of 68 years. In the course of nature, before the close of the decade upon which we have just entered, the great majority of these will have answered to the last "roll call."

We would make no invidious comparison as between the volunteer and regular soldiers of our Army, but state the fact to be that our Government has ever pursued the policy of depending upon its citizen soldiery in times of great emergency, rather than maintain a large and adequate standing army at vast expense. The history of all of our wars substantiates this statement, and it may be noted here that at the beginning of the Civil War the Regular Army contained approximately 16,000 officers and men. This being a fact, and viewing the whole matter purely from a mercenary standpoint, is it not well, as a matter of financial policy alone, that we redeem all of our promises,

written or implied, and treat our country's defenders at least as justly and liberally as we have our bondholders: Be it

Resolved by the Nebraska house of representatives, That we contemplate with satisfaction and approval the action taken by the House of Representatives of Congress of the United States upon a measure therein pending, known as the Sulloway bill, providing for service pensions for surviving Civil War veterans, and we do hereby memorialize and petition the Senate of the United States to concur in the action of the House of Representatives in this behalf.

The chief clerk of the house of representatives is instructed and directed to transmit to Nebraska's Senators, ELMER J. BURKETT and NORRIS BROWN, duly attested copies of this preamble and resolution, with the request that they present the same to the Senate of the United States for its consideration.

Mr. BURKETT presented a memorial of sundry citizens of Chadron, Nebr., remonstrating against the establishment of a national department of health, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of Strong Post, No. 91, Department of Nebraska, Grand Army of the Republic, of Minden, Nebr., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

He also presented memorials of sundry citizens of Shelby and Omaha, in the State of Nebraska, remonstrating against the passage of the so-called rural parcels-post bill, which were ordered to lie on the table.

Mr. GORE. I present a telegram from the Southern Periodical Publishers' Association, of Atlanta, Ga., which I ask may lie on the table and be printed in the RECORD.

There being no objection, the telegram was ordered to lie on the table, and to be printed in the RECORD, as follows:

ATLANTA, GA., February 10, 1911.

The Hon. THOMAS P. GORE,
United States Senate, Washington, D. C.:

We appeal to you as a friend of the American people and as an advocate of justice to endeavor to prevent the backward step proposed by the Senate committee with reference to second-class postage. We feel that we should inform you that we have wired Senators TALIAFERRO, TAYLOR, and BANKHEAD as follows:

"We are astounded at your position on the postal-rate matter. This means ruin and bankruptcy for hundreds of southern periodicals if enacted. It penalizes the energy and ambition of the South's educators and business builders. In the name of 84 southern periodicals we protest the committee's action, and urge your reconsideration."

SOUTHERN PERIODICAL PUBLISHERS' ASSOCIATION.

Mr. WATSON presented a petition of Valley Star Council, Junior Order United American Mechanics, of Limestone, W. Va., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented memorials of the Association of Credit Men, the Commercial Travelers' Association, and the Retail Grocers' Protective Association, all of Charleston, in the State of West Virginia; and of the Retail Business Men's Association of West Virginia, remonstrating against the passage of the so-called rural parcels-post bill, which were ordered to lie on the table.

Mr. OLIVER presented a memorial of the Pennsylvania Retail Hardware Association, remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

Mr. SHIVELY presented a petition of Purcell Local Union, No. 206, Farmers' Educational & Cooperative Union of America, of Vincennes, Ind., praying for the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Lawton-Wayne Post, No. 271, Department of Indiana, Grand Army of the Republic, of Fort Wayne, Ind., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

He also presented a petition of Local Union No. 300, Cigar Makers International Union, of Michigan City, Ind., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. PILES presented a petition of Local Union No. 131, United Brotherhood of Carpenters and Joiners of America, of Seattle, Wash., praying for the construction of the battleship *New York* in a Government navy yard, which was referred to the Committee on Naval Affairs.

Mr. DEPEW presented petitions of Grover Post, No. 98, of Cortland; Tilton Post, No. 660, of Moscow; J. B. Sloan Post, No. 93, of Penn Yan; and of Devin Post, No. 148, of Brooklyn, Grand Army of the Republic, Department of New York, all in the State of New York, praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

He also presented petitions of Local Unions Nos. 138, of Metropolis Hall; 251, of Kingston; 187, of Geneva; 1377, of Buffalo; 301, of Newburgh; and 1211, of Syracuse, all of the United Brotherhood of Carpenters and Joiners; of Local No. 829, American Federation of Labor; of Washington Camp

No. 8, of Waverly, Patriotic Order Sons of America; and of Onondaga Council, No. 10, of Syracuse, Junior Order United American Mechanics, all in the State of New York, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented memorials of the New York State Grange, and the Board of Trade of Niagara Falls, N. Y., remonstrating against the ratification of the proposed reciprocity agreement between the United States and Canada, which were referred to the Committee on Foreign Relations.

Mr. BURNHAM presented a petition of the Paul Revere Council, of Epping, and of the Orient Council, of Newton, Junior Order United American Mechanics, in the State of New Hampshire, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented a petition of Robert Campbell Post, No. 58, Grand Army of the Republic, Department of New Hampshire, of Bradford, N. H., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

DELAWARE RIVER BRIDGE.

Mr. PILES, from the Committee on Commerce, to which was referred the bill (S. 10632) to authorize the North Pennsylvania Railroad Co. and the Delaware & Bound Brook Railroad Co. to construct a bridge across the Delaware River, from Lower Makefield Township, Bucks County, Pa., to Ewing Township, Mercer County, N. J., reported it without amendment and submitted a report (No. 1142) thereon.

SUFFERERS FROM FAMINE IN CHINA.

Mr. WARREN. I report back from the Committee on Military Affairs favorably, with amendments, the bill (H. R. 32473) for the relief of sufferers from famine in China. It provides for the transportation of supplies from the Red Cross Society to be sent to the suffering Chinese. I ask for its immediate consideration.

The VICE PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments were, in line 4, before the words "National Red Cross Society," to insert the word "American;" after the word "Society" to strike out the word "all" and in lieu thereof insert "the;" in line 7, after the words "Army transports," to insert the words "to make a trip;" and to add at the end of the bill the following proviso:

Provided, That the total expense thus incurred shall not exceed \$50,000. And the sum of \$50,000 is hereby appropriated and authorized to be paid out of any moneys in the Treasury not otherwise appropriated, for the purpose specified in this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized to transport, under the supervision of the American National Red Cross Society, the supplies donated by the people of the United States for the relief of the sufferers from famine in China, and for this purpose may order one of the Army transports to make a trip from Seattle, Wash., to China: *Provided*, That the total expense thus incurred shall not exceed \$50,000. And the sum of \$50,000 is hereby appropriated and authorized to be paid out of any moneys in the Treasury not otherwise appropriated for the purpose specified in this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

WILLIAM P. DRUMMON.

Mr. WARREN. I send to the desk the bill (S. 10743) for the relief of William P. Drummon, which I report back from the Committee on Military Affairs, and I ask for its indefinite postponement, the subject matter having been provided for in a previous measure.

The VICE PRESIDENT. Without objection the action requested will be taken.

PROTECTION AND PRESERVATION OF FOOD FISHES.

Mr. SMOOT. From the Committee on Printing I report back favorably without amendment the joint resolution (S. J. Res. 139) authorizing the printing of the message of the President, together with the report of the agent of the United States in the North Atlantic Coast Fisheries Arbitration at The Hague (S. Doc. No. 806), and I ask for its immediate consideration.

The Secretary read the joint resolution; and there being no objection, the Senate, as in Committee of the Whole, pro-

ceeded to its consideration. It provides that the President's message of February 1, 1911, together with the report of the agent of the United States in the North Atlantic Coast Fisheries Arbitration at The Hague, transmitted herewith, and the appendices to the report, shall be printed as a public document, together with an additional 500 copies for the Department of State, the cost thereof to be defrayed out of the appropriation for printing and binding for Congress.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIXON:

A bill (S. 10761) to amend section 3 of the act of Congress of May 1, 1888, and extend the provisions of section 2301 of the Revised Statutes of the United States to certain lands in the State of Montana embraced within the provisions of said act, and for other purposes; and

A bill (S. 10762) to amend section 3 of the act of Congress of May 1, 1888, and extend the provisions of section 2301 of the Revised Statutes of the United States to certain lands in the State of Montana embraced within the provisions of said act, and for other purposes; to the Committee on Public Lands.

By Mr. PERCY:

A bill (S. 10763) granting an increase of pension to William Harcastle, alias Jacob Salter; to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 10764) granting a pension to Andrew Knight (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSTON (for Mr. BANKHEAD):

A bill (S. 10765) for the relief of the representatives of the estate of Henry C. Sills, deceased; and

A bill (S. 10766) for the relief of the representatives of the estate of Henry C. Sills, deceased; to the Committee on Claims.

By Mr. SCOTT:

A bill (S. 10767) providing for the issuance of a charter to the Veteran Reserve Corps of America, a corporate military organization; to the Committee on Military Affairs.

A bill (S. 10768) granting an increase of pension to Riley Monroe (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of South Carolina:

A bill (S. 10769) granting a pension to Charles J. Tribble; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 10770) fixing the rank of military attachés; to the Committee on Military Affairs.

By Mr. SHIVELY:

A bill (S. 10771) granting a pension to Josephine Moore (with accompanying paper); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 10772) granting a pension to John H. Kidd; and

A bill (S. 10773) granting an increase of pension to James A. Bean (with accompanying paper); to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 10774) for the relief of William Leech; to the Committee on Claims.

By Mr. FLINT:

A bill (S. 10775) for the relief of Alice V. Houghton; to the Committee on Claims.

By Mr. DIXON:

A bill (S. 10776) granting an increase of pension to Frank N. Jamelson; to the Committee on Pensions.

Mr. McCUMBER. I introduce a joint resolution for an investigation of all wireless telegraph companies and corporations in the United States.

The joint resolution (S. J. Res. 141) for the investigation of all wireless telegraph companies and corporations in the United States was read twice by its title.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Commerce.

Mr. KEAN. I think it should go to the Committee on Foreign Relations.

Mr. BURTON. A bill on that subject heretofore has gone to the Committee on Commerce.

Mr. KEAN. The Committee on Foreign Relations had charge of the treaty in regard to wireless telegraphy, and I supposed the joint resolution referred to our foreign relations in regard to the matter, and therefore I suggested that it should go to the Committee on Foreign Relations.

Mr. McCUMBER. I think it should go to the Committee on Commerce.

Mr. KEAN. I have no objection to that reference.

The VICE PRESIDENT. The Chair thinks the joint resolution, which on its face shows that it refers to domestic corporations and not to foreign corporations, should be referred to the Committee on Commerce. The reference will be to that committee.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DEPEW submitted an amendment providing for a professional investigation including the sum of \$1,500 on account of professional instruction given by George H. Baker in the economical firing of boilers on board the ships of the Navy, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. BACON submitted an amendment proposing to appropriate \$1,500 to procure for the courtroom of the Supreme Court of the United States a marble bust, with pedestal, of the late Chief Justice Melville Weston Fuller, and also \$1,500 to procure for the robing room of the Supreme Court of the United States an oil portrait of the late Chief Justice Melville Weston Fuller, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on the Library and ordered to be printed.

CLAIMS UNDER THE NAVY DEPARTMENT.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (S. 10668) to satisfy certain claims against the Government arising under the Navy Department, which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Claims.

TARIFF BOARD.

Mr. MONEY submitted an amendment intended to be proposed by him to the bill (H. R. 32010) to create a tariff board, which was referred to the Committee on Finance and ordered to be printed.

BLACK RIVER BRIDGE, MISSOURI.

Mr. STONE. I should like to ask unanimous consent to call up the bill (H. R. 30899) to authorize the Great Western Land Co., of Missouri, to construct a bridge across Black River.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SENATOR FROM ILLINOIS.

Mr. BEVERIDGE. Mr. President, I give notice that on Tuesday, after the conclusion of the remarks of the Senator from Ohio [Mr. BURTON], I shall submit some observations upon the pending election case. If it shall happen that the speech on Monday shall conclude in time I will speak on that day, but I give notice now that after the conclusion of the speech of the Senator from Ohio I shall submit remarks on Tuesday. Otherwise they will be submitted on Monday.

PUBLIC BUILDING AT DALLAS, TEX.

Mr. CULBERSON. I ask unanimous consent for the present consideration of the bill (S. 9556) to provide for the extension of the post-office and courthouse building at Dallas, Tex., and for other purposes.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of the Treasury for the purpose of making suitable provision for the extension of the post-office and courthouse building at Dallas, Tex., to acquire, by purchase, condemnation, or otherwise, such additional land as he may deem necessary for the enlargement of the site of the building at a limit of cost of \$100,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

Mr. PERKINS. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 213) authorizing the President to invite foreign countries to participate in the Panama-Pacific International Exposition in 1915 at San Francisco, Cal.

Mr. SWANSON. Mr. President, I wish to make a statement before the request of the Senator from California is submitted to the Senate. I do not wish to offer an objection to it at this time.

I had purposed to offer an amendment to the joint resolution providing for the exposition at San Francisco commemorating

the opening of the Panama Canal, but I understand from the senior Senator from California if my amendment should be adopted it would necessitate the joint resolution going back to the House, and possibly it might occasion some delay, as it might be referred to a committee. I have consented to make no objection to the present consideration of the joint resolution and not to offer my amendment at this time, being assured by the Senator from California and Senators who are cooperating with him that he has no objection to the amendment except on account of the delay and jeopardy it might occasion the measure at the present session, and that he will favor its going on the naval appropriation bill, which he thinks will be entirely satisfactory.

All I ask is that my amendment may be read; but I shall offer no objection to the consideration of the joint resolution.

The VICE PRESIDENT. Without objection, the amendment which the Senator from Virginia proposes to offer to the naval appropriation bill will be read.

The Secretary read as follows:

The President, in his invitation to the foreign nations, shall invite their representatives and their fleets to assemble at Hampton Roads, Va., and from thence come to the city of Washington, there to be formally welcomed by the President, and at the conclusion of the ceremonies at Washington, the President is requested to proceed to Hampton Roads and there review the assembled fleets of the world as they start on their voyage to the city of San Francisco.

Mr. SWANSON. Mr. President, I wish to say in this connection, so that there may be no objection to the present consideration of the pending joint resolution, that I do not purpose to offer the amendment as an amendment to the joint resolution at this time. So I have no objection to its present consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from California [Mr. PERKINS] for the present consideration of the joint resolution?

Mr. CULBERSON. Mr. President, let the joint resolution be read.

The VICE PRESIDENT. The Secretary will read the joint resolution for the information of the Senate.

The joint resolution was read, as follows:

Resolved, etc., That whenever it shall be shown to the satisfaction of the President of the United States that a suitable site has been selected, and that the sum of not less than \$15,000,000 will be available to enable the Panama-Pacific International Exposition Co., a corporation organized and existing under and by virtue of the laws of the State of California, for the purpose of inaugurating, carrying forward, and holding an exposition at the city and county of San Francisco, Cal., on or about the 1st day of January, 1915, to celebrate the completion and opening of the Panama Canal, and also the four hundredth anniversary of the discovery of the Pacific Ocean, the President of the United States be, and he hereby is, authorized and respectfully requested, by proclamation or in such manner as he may deem proper, to invite all foreign countries and nations to such proposed exposition, with a request that they participate therein.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. PERKINS. Mr. President, I desire to present and have printed in the RECORD a report from the Committee on Industrial Expositions, submitted on the 9th instant by the Senator from Washington [Mr. JONES].

The VICE PRESIDENT. In the absence of objection, the report submitted by the Senator from California will be printed in the RECORD.

The report referred to is as follows:

[Senate Report No. 1133, Sixty-first Congress, third session, Feb. 9, 1911.—Ordered to be printed.]

PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

Mr. JONES, from the Committee on Industrial Expositions, submitted the following report to accompany H. J. Res. 213:

The Committee on Industrial Expositions, to whom was referred the joint resolution (H. J. Res. 213) authorizing the President to invite foreign countries to participate in the Panama-Pacific International Exposition in 1915 at San Francisco, Cal., reports the same back to the Senate with a recommendation that it do pass.

The committee begs to state that full hearings were had upon the subject matter of this resolution. Advocates of the city of San Francisco as the location for an international exposition commemorating the opening of the Panama Canal appeared before the committee in support of the above resolution, and representatives from the city of New Orleans were also given an ample opportunity to be heard in opposition to the San Francisco resolution and in favor of a measure providing for the inauguration by the Government of the United States of an international exhibit of arts, industries, manufactures, etc., at New Orleans. The committee has concluded to report the San Francisco resolution with due regard and consideration of the reasons and arguments urged for holding the celebration at New Orleans. It appears that the people of California have contemplated, since 1904, the holding of an international exposition at San Francisco for the purpose of properly celebrating the completion of the Panama Canal and the four hundredth anniversary of the discovery of the Pacific Ocean; and during the last year they have raised the sum of \$17,500,000 for the purposes of such exposition. Of this vast amount \$5,000,000 is provided by a special tax levied upon all property in California, an additional \$5,000,000 through

the issuance of bonds by the city of San Francisco, and the balance of \$7,500,000 by popular subscriptions.

The people of California have thus initiated or created the exposition and have demonstrated their ability to carry it through to a successful conclusion and to make it the greatest exposition that the world has ever seen, without asking the Congress for an appropriation of any character, or directly or impliedly committing the United States Government to any liability or responsibility. They do not ask Congress to inaugurate the celebration, but simply request that an invitation be sent through the proper channels to all foreign nations and countries to participate in the exposition. The committee feels that if the Government were to inaugurate the exposition it would impliedly assume all financial responsibilities therefor. That has been the experience of the past, and since the city of San Francisco undertakes to hold and maintain this exposition without financial aid from the Government, we feel that the courage and enterprise of that city ought to receive the favorable consideration of the Congress, and your committee do not believe that the Government itself should inaugurate and carry on an exposition at this time.

Under this resolution the people of America will have the opportunity to enjoy all the pleasures, fruits, and benefits of an exposition given on a scale befitting the great event that it is intended to celebrate without one dollar of expense to the Government. Although San Francisco is farther removed from the center of population than the city of New Orleans, we believe from past experience that distance will not affect the attendance. The expositions at Portland and Seattle, although farther removed from the center of population, enjoyed a much larger attendance than those given at New Orleans and Jamestown; in fact, Seattle had a paid attendance of 207,000 more than the combined attendance at New Orleans and Jamestown. It is apparent that most people take their vacations during the summer months, and they are much more likely to travel to the Pacific coast, where the climate is cool and bracing during that season of the year, rather than to any southern point.

The committee has carefully considered the question of proximity to the canal, but it is our opinion that more people will see the canal if the exposition be held in San Francisco than if it were held at New Orleans, for a large number who will attend the exposition at San Francisco will take occasion to pass through the canal going or returning. One of the most cogent reasons for our recommending the passage of the San Francisco resolution is that which relates to the growing oriental trade. In recent years the commerce of the Orient has attracted world-wide attention, and all trade-seeking peoples are exerting every effort to obtain a greater share of that commerce. America ought to occupy first place in the trade with Asia. In 1909 the trade between Japan and America amounted to \$97,000,000; the entire world trade of Japan was \$415,000,000. In 1909 our trade with China amounted to \$48,000,000 out of a combined world trade of China amounting to \$432,000,000. The manufacturers and producers of America are looking to Asia for new markets to absorb our surplus products, and through our State Department commercial agents are being sent throughout Asia to enlarge our trade and commerce. Our trade with Europe and with the Latin Republics of the South will increase along natural and settled lines, but the great field for exploitation lies in the Orient, and we can not afford to permit any opportunity to pass by that will strengthen our position in those great opening markets. At San Francisco America and Asia can, with greatest ease and facility, exhibit articles intended for exchange, thereby stimulating the trade between the two countries and at the same time further cementing the ties of cordial friendship between America and the nations of the Far East.

In addition to the foregoing reasons why the exposition should be held at San Francisco we feel that a trip to the Pacific coast will be of immense educational value to the people of our country. Assurances have been given that a great reduction will be made in the railway fares and that opportunity will be offered for going and returning by different routes. Tens of thousands of our people will find in the exposition a justifiable inducement to make it a journey of continuous sight-seeing, and while upon the Pacific coast will be afforded rare opportunities of beholding the wonders of the West, its almost inexhaustible resources, and its boundless opportunities for development. Such a trip will be an exposition in itself and will be as profitable as a visit to the exposition grounds, where the products of the genius and skill of the earth will be displayed before their eyes.

In her ability to minister to the comfort, convenience, and pleasure of the throngs that will visit this exposition, San Francisco is unsurpassed; and her invitation to the people of the world to participate with her in this great celebration carries with it a safe assurance of courteous treatment and open-hearted hospitality.

We therefore recommend the passage of House joint resolution 213 without amendment.

Mr. PERKINS. Mr. President, on behalf of the people of the city of San Francisco and of the entire State of California, I take this occasion to express grateful acknowledgment to the people of the South and to our friends from Louisiana and Virginia for the generous and kindly spirit which has been manifested in this matter. From the very inception of the struggle between New Orleans and San Francisco for the honor of holding this great exposition every act on the part of our friends from the South has been characterized by a high regard for courtesy and fairness. They have now crowned this most enviable record by interposing no obstacle whatever to the passage of this joint resolution in the Senate, and we of California appreciate this to the utmost degree.

EMBASSY, LEGATION, AND CONSULAR BUILDINGS.

Mr. LODGE. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 30888) providing for the purchase or erection, within certain limits of cost, of embassy, legation, and consular buildings abroad.

Mr. CLAPP. Mr. President, I shall have to object to the consideration of that bill.

Mr. LODGE. Then I move to take up the bill.

The VICE PRESIDENT. The Senator from Massachusetts moves the present consideration of the bill.

Mr. STONE. Mr. President, I see the Senator from Idaho [Mr. BORAH] is not present, and I should like to ask whether the motion of the Senator from Massachusetts would interfere with the unfinished business?

Mr. LODGE. Not in the least. The unfinished business does not come up until 2 o'clock.

Mr. STONE. With that understanding I shall not object.

The VICE PRESIDENT. The unfinished business will come up at 2 o'clock. The question is on the motion of the Senator from Massachusetts to proceed to the consideration of the bill named by him.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of State to acquire in foreign countries such sites and buildings as may be appropriated for by Congress for the use of the diplomatic and consular establishments of the United States, and to alter, repair, and furnish the buildings; suitable buildings for this purpose to be either purchased or erected, as to the Secretary of State may seem best, and all buildings so acquired for the Diplomatic Service shall be used both as the residences of diplomatic officials and for the offices of the diplomatic establishment; but not more than \$500,000 shall be expended in any fiscal year under the authorization herein made. It further provides that in submitting estimates of appropriation to the Secretary of the Treasury for transmission to the House of Representatives, the Secretary of State shall set forth a limit of cost for the acquisition of sites and buildings and for the construction, alteration, repair, and furnishing of buildings at each place in which the expenditure is proposed (which limit of cost shall not exceed \$150,000 at any one place) and shall not thereafter be exceeded in any case, except by new and express authorization of Congress.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAND IN CITY OF WASHINGTON.

Mr. SCOTT. I should like the present consideration of the bill (S. 10536) directing the Secretary of War to convey the outstanding legal title of the United States to lot No. 20, square No. 253, in the city of Washington, D. C.

In explanation of my request, I will say that this is a bill which the Attorney General desires passed in order to correct title to some land here in the District of Columbia. The Senator from Vermont [Mr. DILLINGHAM] has examined the bill and reported it favorably. It is very important that it should be passed at once.

Mr. SMOOT. I shall not object to the consideration of this bill, but at the conclusion of its consideration I shall ask for the regular order.

The VICE PRESIDENT. The Secretary will read the bill for the information of the Senate.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of War to grant to the present occupants of lot No. 20, square No. 253, a quit claim deed of the legal title of the United States to that lot, it having appeared that the United States has no interest herein or claim thereto other than a record title arising from a failure to comply with the requirements of the act of the Maryland Legislature of December 19, 1791, relative to the recording of deeds in the original city of Washington; but the occupants of the lot shall establish to the satisfaction of the Secretary of War their title to the premises, saving only the outstanding legal title of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

R. A. SISSON.

Mr. TILLMAN. I ask unanimous consent for the immediate consideration of the bill (H. R. 2556) for the relief of R. A. Sisson.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay \$88.48 to R. A. Sisson, lighthouse keeper of Bloody Point Range, Daufuskie Island, Beaufort County, S. C., for the loss and destruction of his property during the cyclone of 1893.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MEASURES PASSED OVER ON THE CALENDAR.

Mr. SMOOT. I ask for the regular order, Mr. President.

The VICE PRESIDENT. The regular order is the consideration of the calendar under Rule VIII. The Secretary will state the first bill on the calendar.

The bill (S. 3528) to reimburse depositors of the Freedman's Savings & Trust Co. was announced as first in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The concurrent resolution (S. C. Res. 16) authorizing the Secretary of War to return to the State of Louisiana the original ordinance of secession that was adopted by the people of said State in convention assembled, etc., was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The resolution will go over.

The bill (H. R. 10584) providing for the adjustment of the claims of the States and Territories to lands within national forests was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The bill (S. 8083) to provide for the handling of mail on which insufficient postage is prepaid, and for other purposes, was announced as next in order.

Mr. BURKETT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over, at the request of the Senator from Nebraska.

The bill (S. 7668) to grant certain lands to the city of Colorado Springs, the town of Manitou, and the town of Cascade, Colo., was announced as next in order.

Mr. KEAN. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

DAM ACROSS ROCK RIVER AT LYNDON, ILL.

Mr. CULLOM. Mr. President, as there appears to be no bill on the calendar which the Senate desires to consider, I ask unanimous consent for the present consideration of the bill (H. R. 30571) permitting the building of a dam across Rock River at Lyndon, Ill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in section 1, on page 1, line 3, after the name "Smith," to insert "and," and in the same line, after the name "Green," to strike out "and John J. Hurlbert," so as to make the section read:

Be it enacted, etc., That Edward A. Smith and Harvey S. Green, of Morrison, Ill., their heirs, administrators, executors, successors, and assigns, are hereby authorized to construct, maintain, and operate a dam across Rock River at a point suitable to the interests of navigation at or near Lyndon, Whiteside County, Ill., the south end of said dam to be located near the line between sections 21 and 22 in township 20 north, range 5 east, fourth principal meridian, and the north end of said dam to intersect the bank of said river in section 21 in the same township, range, and meridian, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of the act approved June 23, 1910, entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,' approved June 21, 1906."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER.

The bill (S. 7180) authorizing the Secretary of War to return to the governor of Louisiana certain bonds of the State of Louisiana and the city of New Orleans was announced as next in order.

Mr. GUGGENHEIM. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over, at the request of the Senator from Colorado.

The bill (S. 7902) to promote the science and practice of forestry by the establishment of the Morton Institution of Agriculture and Forestry as a memorial to the late J. Sterling Morton, former Secretary of Agriculture, was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The bill (S. 7648) to correct the military record of Charles J. Smith was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over at the request of the Senator from Utah.

The bill (S. 3719) for the appointment of a national commission for the conservation of natural resources, and defining its duties, was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The bill (S. 8008) granting to Savanna Coal Co. the right to acquire additional acreage to its existing coal lease in the Choctaw Nation, Pittsburg County, Okla., and for other purposes, was announced as next in order.

Mr. KEAN. Mr. President, let that bill go over. The Senator from Texas [Mr. BAILEY] is not present. He is somewhat interested as to the description of the land.

The VICE PRESIDENT. The bill will go over at the request of the Senator from New Jersey.

The bill (H. R. 21481) to amend section 4916 of the Revised Statutes, relating to patents, was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The resolution (S. Res. 257) to discharge the Committee on Privileges and Elections from further consideration of the joint resolution (S. J. Res. 41) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. KEAN. Let that go over.

The VICE PRESIDENT. The resolution will go over at the request of the Senator from New Jersey.

The bill (S. 7724) to provide for the payment of certain moneys advanced by the States of Virginia and Maryland to the United States Government to be applied toward erecting public buildings for the Federal Government in the District of Columbia, was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The bill (H. R. 7117) to increase the efficiency of the Engineer Corps of the United States Army was announced as next in order.

Mr. KEAN. Let that go over, Mr. President. Similar provision has been made on an appropriation bill.

The VICE PRESIDENT. The bill will go over at the request of the Senator from New Jersey.

ADDITIONAL PROTECTION FOR OWNERS OF PATENTS.

The bill (S. 1745) to amend section 4919 of the Revised Statutes of the United States, to provide additional protection for owners of patents of the United States, and for other purposes, was announced as next in order.

Mr. KEAN. Mr. President, I have on my desk here a copy of the existing law on that subject, which is almost exactly in the wording of this bill. I therefore ask that the bill be indefinitely postponed.

The VICE PRESIDENT. Is there objection to the request that Senate bill 1745 be indefinitely postponed? The Chair hears none, and that order is made.

ELECTION OF SENATORS BY DIRECT VOTE.

The resolution (S. Res. 262) to discharge the Committee on the Judiciary from further consideration of the joint resolution (S. J. Res. 50) proposing an amendment to the Constitution respecting the election of United States Senators was announced as next in order.

Mr. CLARK of Wyoming. Mr. President, Senate resolution 262 being a resolution with a reference to a matter upon which the Judiciary Committee has acted, I ask that the resolution be indefinitely postponed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution is indefinitely postponed.

BILLS PASSED OVER.

The bill (S. 6970) to codify, revise, and amend the postal laws of the United States was announced as next in order.

Mr. KEAN. Let that bill go over.

The VICE PRESIDENT. The bill will go over at the request of the Senator from New Jersey.

The bill (H. R. 11798) to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers, was announced as next in order.

Mr. KEAN. Let that bill go over, Mr. President. That is a special order for February 15.

The VICE PRESIDENT. The bill will go over.

The bill (H. R. 23000) to provide a civil government for Porto Rico, and for other purposes, was announced as next in order.

Mr. DEPEW. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The bill (S. 9935) authorizing a parcels-post service on rural routes, was announced as next in order.

Mr. BURNHAM. Let that bill go over for the present.

Mr. SMOOT. Let that bill go over until 2 o'clock.

The VICE PRESIDENT. The bill will go over.

EXPLORATION AND PROSPECTING PERMITS ON UNAPPROPRIATED LANDS.

The bill (S. 9011) to provide for the granting by the Secretary of the Interior of permits to explore and prospect for oil

and gas on unappropriated and withdrawn lands, was announced as next in order, and the Senate resumed its consideration.

The VICE PRESIDENT. The bill has heretofore been considered, when it reached the point of third reading. The question is on the third reading of the bill.

The bill was read the third time, and passed.

LIGHT AND FOG SIGNAL AT LINCOLN ROCK, ALASKA.

The bill (S. 10015) for rebuilding and improving the present light and fog signal at Lincoln Rock, Alaska, or for building another light and fog-signal station upon a different site near by, was considered as in Committee of the Whole. It proposes to appropriate \$25,000 for rebuilding and improving the present light and fog signal at Lincoln Rock, Alaska, or for building another light and fog-signal station upon a different site near by.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL AIDS TO NAVIGATION.

The bill (S. 10177) to authorize additional aids to navigation in the Lighthouse Establishment, and for other purposes, was announced as next in order.

The VICE PRESIDENT. The Chair has a memorandum that the Senator from Massachusetts [Mr. LODGE] asked that this bill be not disposed of in his absence, as he has an amendment which he desires to present to it.

Mr. SMOOT. I ask that the bill go over.

Mr. FRYE. The Senator from Maine has the amendment which the Senator from Massachusetts desires, and will offer it.

Mr. SMOOT. Then I withdraw the objection.

The VICE PRESIDENT. The request that the bill go over is withdrawn. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. FRYE. On page 2, line 12, after the word "on," I move to strike out "the south or southwesterly end of Castle" and to insert in lieu thereof the word "Governors."

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 2, line 12, after the word "on," it is proposed to strike out the words "the south or southwesterly end of Castle" and insert "Governors," so as to make the bill read:

Be it enacted, etc., That the Secretary of Commerce and Labor be, and he is hereby, authorized to establish and provide the following additional aids to navigation in the Lighthouse Establishment, under the Lighthouse Service, in accordance with the respective limits of cost respectively set forth, which shall in no case be exceeded.

To construct a power house and foundry and complete the equipment, wiring, etc., of the power plant at the general lighthouse depot, Staten Island, N. Y., at a cost not to exceed \$30,000.

To rebuild and improve the present light and fog signal station, or construct a new light and fog signal station, at Brandywine Shoal, Delaware Bay, Del., at a cost not to exceed \$75,000.

To rebuild and improve the Buffalo Breakwater North End Light Station, N. Y., at a cost not to exceed \$60,000.

To complete the lighting of the breakwater and piers at Superior Entry, Wis., at a cost not to exceed \$25,000.

To establish a lighthouse depot on the site belonging to the War Department on Governors Island, Boston Harbor, Mass., or on the site belonging to the Marine-Hospital Service, Treasury Department, on Chelsea Creek, Boston Harbor, Mass., and authority is hereby granted for the transfer of the site authorized from the proper department to the Department of Commerce and Labor.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIGHTSHIP NEAR ORFORD REEF, OREG.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 10210) to direct the construction of a lightship and its maintenance near Orford Reef, off Cape Blanco, Oreg.

It proposes that the Secretary of Commerce and Labor be, and hereby is, authorized and directed to cause to be constructed and to establish and maintain a first-class, full-powered light vessel at or near Orford Reef, off Cape Blanco, Oreg., for which purpose there is appropriated \$150,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT AND FOG SIGNAL, SAN PEDRO, CAL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 10011) for establishing a light and fog-signal station on the San Pedro Breakwater, Cal.

It appropriates \$36,000 for establishing a light and fog-signal station on the San Pedro Breakwater, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES J. SMITH.

Mr. DU PONT. I ask unanimous consent that the bill (S. 7648) to correct the military record of Charles J. Smith, which was passed over, be now taken up.

Mr. SMOOT. The Senator from Delaware tells me that the objections that were raised to the bill have been withdrawn, and he desires its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that in the administration of the pension laws Charles J. Smith, who was a private, unassigned, Third New Jersey Volunteer Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Charles J. Smith."

PHOEBE CLARK.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 26529) for the relief of Phoebe Clark.

It proposes to pay to Phoebe Clark, of Helena, Mont., \$116, for a typewriter and necessary repairs thereon, furnished and used by her as transcribing clerk in the office of the United States surveyor general of the State of Montana, exclusively for Government work.

Mr. KEAN. Is there a report with the bill?

The VICE PRESIDENT. Yes; there is a report.

Mr. KEAN. I should like to hear it read.

The Secretary proceeded to read the report submitted by Mr. DAVIS January 17, 1911, which is as follows:

The Committee on Claims, to whom was referred the bill (H. R. 26529) for the relief of Phoebe Clark, having considered the same, report thereon with a recommendation that it do pass.

The affidavit of the claimant, the statement of W. J. MacHaffie, manager of the State Publishing Co., Helena, Mont., and the letter of the honorable the Secretary of the Interior, dated February 26, 1908, are herewith appended and made a part of this report.

STATE OF MONTANA,

County of Lewis and Clark, ss:

Phoebe Clark, transcribing clerk, office of the United States surveyor general for Montana, Helena, Mont., being duly sworn, deposes and says: That she is the person who bought a Remington typewriting machine, No. 5, which she used for nine consecutive years for Government work only; that she paid, herself, for repairs thereon, and who is now asking for reimbursement in the sum of \$116 therefor; and further, that the dates and amounts are positively correct.

PHOEBE CLARK.

Subscribed and sworn to before me this 1st day of January, 1908.

[SEAL.]

GUSTAVE STROBEL,

Notary Public in and for Lewis and Clark County.

HELENA, MONT., December 31, 1907.

Mr. MacHaffie, manager of the State Publishing Co., and agent for Remington typewriters in Helena, Mont., and who knows the present condition of the hereinbefore-mentioned machine, says: The machine is worn out; that the No. 5 (the number of my machine) is not manufactured any more; and that he would not take it in at any price, as they are unsalable.

I hereby certify that the above statement is true and correct.

W. J. MACHAFFIE,

Manager State Publishing Co.

DEPARTMENT OF THE INTERIOR,

Washington, February 26, 1908.

SIR: I have, by your reference for report, H. R. 11632, "for the relief of Phoebe Clark."

In reply you are advised that Phoebe Clark is, and has since 1894 been, a transcribing clerk in the office of United States surveyor general for Montana; that in 1894 a request was made for a typewriter for her official use, but owing to the lack of available funds it was not furnished. It appears that she purchased a typewriter at her own expense and continued to use it in that office in the discharge of her official duties until 1904, when, it being no longer suitable for use, a typewriter was furnished her by this department. Correspondence in this office shows that she paid \$100 for the typewriter purchased by her and subsequently expended about \$16 in necessary repairs.

It is customary for this department to furnish employees in the offices of surveyors general with typewriters for official use at all times when there are funds available for that purpose, and such employees are not expected or required to furnish their typewriters or to pay for necessary repairs on typewriters used by them.

These facts seem to warrant a favorable consideration of this bill, which proposes a reimbursement for money expended in the purchase and repairing of the typewriter.

Very respectfully,

JAMES RUDOLPH GARFIELD, Secretary.

Hon. J. M. MILLER,

Chairman Committee on Claims, House of Representatives.

Mr. KEAN. What I desired to find out is whether it is recommended by the department.

Mr. SMOOT. It is recommended by the department in a letter signed by the Secretary of the Interior, dated February 26, 1908.

Mr. KEAN. To my mind, this is rather a new departure.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HEIRS OF SAMUEL A. MUHLEMAN, DECEASED.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 865) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased, which had been reported from the Committee on Claims with an amendment, in line 7, before the word "thousand," to strike out "five" and insert "one," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000, in full compensation for the death of Samuel A. Muhleman, on February 14, 1898, caused by injury received on the 9th day of June, 1893, while employed as a clerk in the Record and Pension Office, War Department, while located in Ford's Theater at the time of its collapse.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLARD W. ALT.

The bill (H. R. 17007) for the relief of Willard W. Alt was considered as in Committee of the Whole.

It proposes to pay to Willard W. Alt \$125 for resurvey of public lands in the State of Nebraska.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GOVERNMENT OF CANAL ZONE.

The bill (H. R. 12316) to provide for the government of the Canal Zone, the construction of the Panama Canal, and for other purposes, was announced as next in order.

Mr. BURTON and Mr. SIMMONS. I ask that the bill go over.

The VICE PRESIDENT. The bill goes over.

RITTENHOUSE MOORE.

The bill (S. 6550) for the relief of Rittenhouse Moore was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment on page 2, line 1, after the word "shown," to insert "and the said sum of \$3,650.05 is hereby appropriated for the purposes of this act," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rittenhouse Moore, the sum of \$3,650.05, being the amount stated and claimed by him as set forth in House Document No. 100, Fifty-eighth Congress, second session, for overwidth dredging in the Potomac River below Washington, D. C., and recommended by the Secretary of War, as therein shown, and the said sum of \$3,650.05 is hereby appropriated for the purposes of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT AND FOG SIGNAL, PORTAGE RIVER PIERHEAD, MICH.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 10257) establishing a light and fog-signal station at Portage River Pierhead, Mich.

It directs the Secretary of Commerce and Labor to establish a light and fog-signal station at Portage River Pierhead, Mich., at a cost not to exceed \$40,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT AND FOG SIGNAL, MICHIGAN ISLAND, LAKE SUPERIOR.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 10256) establishing a light and fog-signal station on Michigan Island, Lake Superior.

It directs the Secretary of Commerce and Labor to establish a light and fog-signal station on Michigan Island, Lake Superior, at a cost not to exceed \$100,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH B. EDDY.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 10141) to carry into effect the findings of the Court of Claims in the claim of Elizabeth B. Eddy.

The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Elizabeth B. Eddy, widow of Charles G. Eddy, of New York, N. Y., the sum of \$602.92, and the said sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LAMONT STREET, DISTRICT OF COLUMBIA.

The bill (S. 9707) to authorize the extension of Lamont Street NW., in the District of Columbia, was announced as the next bill on the calendar.

Mr. KEAN. Let the bill go over.

The VICE PRESIDENT. It will go over.

Mr. KEAN. Let it go to the calendar under Rule IX.

Mr. FLETCHER. It is rather an important bill, and there are some improvements pending, waiting on the action on this bill.

Mr. KEAN. So I have been informed, and therefore I ask that it go over.

Mr. FLETCHER. That may be a very good reason in the Senator's mind, but it does not appeal to me.

The VICE PRESIDENT. Is there objection to transferring the bill to the calendar under Rule IX, as requested by the Senator from New Jersey?

Mr. JONES. I do not think it ought to go to the calendar under Rule IX.

The VICE PRESIDENT. The bill will go over.

ESTATE OF ANTONIA SOUSA, DECEASED.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1882) for the relief of the estate of Antonia Sousa, deceased.

It directs the Secretary of the Interior to pay, out of the naval pension fund, to the estate of Antonia Sousa, deceased, late a musician in the Marine Corps of the United States, \$19.50 per month from March 4, 1886, to April 27, 1892, both inclusive, being the amount of allotment granted to him by the Secretary of the Navy under section 4756, Revised Statutes of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 7355) authorizing the Winnebago Tribe of Indians to submit claims to the Court of Claims was announced as the next business on the calendar.

Mr. KEAN. Let the bill go over for the present. I should like to look at the report.

The VICE PRESIDENT. The bill will go over.

The bill (S. 9534) to amend an act entitled "An act to regulate the employment of child labor in the District of Columbia" was announced as next in order.

Mr. SMOOT. The Senator reporting the bill is not present; therefore I should like to have it go over, not that I object to the bill.

The VICE PRESIDENT. The bill will go over.

The bill (S. 10185) to provide for the appointment of a district judge in the northern and southern judicial districts in the State of Mississippi, and for other purposes, was announced as next in order.

Mr. NELSON. In the absence of the senior Senator from Mississippi I ask that the bill go over.

The VICE PRESIDENT. The bill will go over.

SANITARY WATER-STILL CO.

The bill (H. R. 25679) for the relief of the Sanitary Water-Still Co. was considered as in Committee of the Whole.

It proposes to pay to the Sanitary Water-Still Co., of New York, \$850, due the company on the sale of two evaporators to the Quartermaster General's Department, United States Army, for the Army transport *Logan*.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REFUND OF CERTAIN TAXES.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 9970) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah.

It appropriates to the corporations named the amounts respectively placed opposite their names, the amounts having been illegally assessed by the Commissioner of Internal Revenue and collected by the collector of internal revenue for the district of Utah in 1879 as a tax on notes used for circulation and paid out, such tax having been held illegal by the Supreme Court of the United States: Zion's Cooperative Mercantile Institution, of Bountiful, Utah, \$123.30; Logan Branch of Zion's Cooperative Mercantile Institution, of Logan, Utah, \$4,852.42.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES RIVER BRIDGES.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 26150) to authorize the cities of Boston and Cambridge, Mass., to construct drawless bridges across the Charles River, and requesting a conference with the Senate on the disagreeing vote of the two Houses thereon.

Mr. FRYE. I move that the Senate insist upon its amendment, agree to the conference asked for by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. DEFEW, Mr. PILES, and Mr. STONE the conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 16268. An act for the relief of Thomas Seals; and

H. R. 30160. An act for the relief of John Lee, alias James Riley.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 32435. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 32674. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

H. R. 32675. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows and dependent relatives of such soldiers and sailors.

SCHOONER "WALTER B. CHESTER."

The bill (H. R. 25074) for the relief of the owners of the schooner *Walter B. Chester* was announced as next in order.

Mr. KEAN. Is there a report with the bill?

The VICE PRESIDENT. There is a report, No. 1007.

Mr. KEAN. I understand that the amendment to the bill cures the defect that I thought was in it.

The VICE PRESIDENT. No amendment has been offered to the bill, unless it be in the report.

Mr. SMOOT. The full amount of the claim was \$10,501.75 and included the demurrage for 95 days, at \$50 a day. The demurrage was eliminated from the bill, and it carries, as I remember, something like \$5,000. That is the amount recommended.

The bill was considered as in Committee of the Whole. It proposes to pay to the owners of the American schooner *Walter B. Chester*, registered, of Wellfleet, Mass., their heirs and assigns, as determined by the United States Court of Claims, \$5,751.75, the same being the amount in part awarded said owners by the Court of Claims as damages on account of the U. S. warship *Vandalia* colliding with that schooner, as fully appears in the findings of the Court of Claims in congressional case No. 65, Deering, Donnell, and others against the United States, to which findings and the award made thereon reference is hereby had, which sum shall be in full settlement for all claims for said damages.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT LIVE OAK, FLA.

Mr. CULBERSON. From the Committee on Public Buildings and Grounds I report back favorably with an amendment the bill (S. 5420) to provide for a public building at Live Oak, Fla. I call the attention of the Senator from Florida [Mr. TALIAFERRO] to the matter.

Mr. TALIAFERRO. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment was, in line 10, before the word "thousand," to strike out "one hundred" and insert "seventy-five," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected on a suitable site in the city of Live Oak, Fla., a building, including fireproof vaults, heating and ventilating apparatus, and all necessary appointments and equipments, for the use and accommodation of the United States post office, the cost of said building and other equipments and appointments not to exceed the sum of \$75,000, which sum, or so much thereof as may be necessary, is hereby appropriated for said purpose out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM C. RICH.

The bill (H. R. 19747) for the relief of William C. Rich was considered as in Committee of the Whole. It provides that in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, William C. Rich shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company M, Eleventh Regiment Illinois Volunteer Cavalry, on the 20th day of April, 1864. But no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. KEAN. I should like to have the report accompanying the bill printed.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Mr. BROWN, from the Committee on Military Affairs, submitted the following report, to accompany H. R. 19747:

The Committee on Military Affairs, which has had under consideration the bill (H. R. 19747) for the relief of William C. Rich, hereby reports the same to the Senate favorably and without amendment and recommends its passage.

The records show that this soldier was enrolled at Peoria, Ill., on December 7, 1861, and mustered into the service on December 20, 1861; that he was reenlisted as a veteran on December 20, 1863. He received the customary veteran's furlough for 35 days from about March 6, 1864, never thereafter returning, and is marked as a deserter from about April 20, 1864.

The soldier alleges that while home on furlough he received an injury by being thrown from a buggy and was unable to return, and has furnished evidence to corroborate his allegations, but on account of the injury not being received in line of duty he is unable to get the charge of desertion removed by the general law, and your committee believe he should be given a pensionable status.

The evidence as to his injury is hereto appended as a part of this report:

STATE OF NEBRASKA, Douglas County, ss:

I, William C. Rich, of lawful age, being first duly sworn, depose and say that I enlisted as a soldier in the Civil War December 7, 1861, at Camp Lyon, Peoria, Ill., and was mustered into service December, 1861; that I reenlisted as a veteran December 26, 1863; that I was at home at Chillicothe, Ill., about the middle of March, 1864, and there received injuries by a runaway horse to such an extent that it was impossible for me to return to my command, and that for some time following said date I was in a very critical condition; that I received injuries to my spine, had one shoulder dislocated, two ribs broken, and my head badly lacerated, and that the war closed before I was able to return to service.

WILLIAM C. RICH.

Subscribed in my presence and sworn to before me this 2d day of February, A. D. 1909.

[SEAL.]

OSCAR W. JOHNSON, Notary Public.

STATE OF MISSOURI, Barton County, ss:

I, Henry Keller, being duly sworn, on oath depose and say that I am of lawful age and a resident of Golden City, Mo., and that I was a resident of Chillicothe, Ill., for several years during the War of the Rebellion, and was personally acquainted with Mr. William C. Rich when he enlisted in the service of the United States Army in December, 1861, and again reenlisted in the year 1863, and also for several years following; that some time in March, in the year 1864, the said William C. Rich returned home on furlough, and that during the period of his furlough the said William C. Rich was badly injured by a runaway horse and did not return to his command on account of said injury. The injury mentioned was the only cause, as affiant firmly believes, of the failure of the said William C. Rich to return to the Army.

Affiant also says that the said Rich and family were very respectable people and bore a good reputation.

Further affiant saith not.

HENRY KELLER.

Subscribed and sworn to before me this 30th day of November, 1907.

[SEAL.]

JOHN F. DUDEN, Notary Public.

My commission expires September 10, 1909.

STATE OF NEBRASKA, Douglas County, ss:

I, James D. Thompson, of lawful age, being first duly sworn, depose and say that I am, and in the year 1864 was, personally acquainted with William C. Rich; that I knew him in Chillicothe, Ill., in March, 1864, and that I know that at said place and in said month said William C. Rich met with an accident from a runaway horse from which he sustained serious injuries, so much so that his life was almost despaired of. I further know that said Rich was a soldier at that time, and that before he recovered the war was closed, and that he was incapacitated for service for a long time after the close of the Civil War.

JAS. D. THOMPSON.

Subscribed in my presence and sworn to before me this 2d day of February, A. D. 1909.

[SEAL.]

FREMONT BENJAMIN, Notary Public.

STATE OF NEBRASKA, Douglas County, ss:

G. A. Murphy, of lawful age, being first duly sworn, deposes and says that he was personally acquainted with William C. Rich, at Chillicothe, Ill., in the year 1864; that he saw said William C. Rich shortly after he was badly hurt by a runaway horse, and that he knows of his own personal knowledge that said Rich was in a very bad condition for a year or more after he was injured.

G. A. MURPHY.

Subscribed in my presence and sworn to before me this 16th day of August, A. D. 1905.

[SEAL.]

E. N. BOVELL, Notary Public.

ARMY, NAVY, AND MARINE CORPS.

The bill (S. 10275) relative to joint operations of the Army, Navy, and Marine Corps was considered as in Committee of the Whole. It provides that when forces or detachments of the Army and of the Navy and Marine Corps are engaged on shore in a common enterprise (not in the nature of a ceremonial or parade), and in the absence of specific authority from the President of the United States, the senior officer of the line of the Army in command of the Army detachment shall command the whole and have authority to issue such orders to the officers in command of the naval and marine detachments while on shore as may be necessary for the success of the enterprise engaged upon.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TENNESSEE RIVER BRIDGE AT CHATTANOOGA, TENN.

The bill (H. R. 31649) to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, Tenn., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. BURTON. As I read the bill, there is an amendment in it.

The VICE PRESIDENT. The calendar states that there is no amendment, and no amendment is indicated in the report.

Mr. BURTON. This bill for a bridge across the Tennessee River, at Chattanooga, in the seventh line, has an amendment "to insert at a point suitable to the interests of navigation." That is in accordance with the report from the Chief of Engineers.

The VICE PRESIDENT. Those words are in the bill, but not as an amendment.

Mr. BURTON. As the bill was printed, those words are printed in italics.

The VICE PRESIDENT. They are not in italics in the bill which the Secretary has at the desk.

Mr. SMOOT. If the Senator will look at the House bill, he will find that the bill as read conforms to the recommendations of the department.

The VICE PRESIDENT. It is a House bill.

Mr. BURTON. Very well.

The bill was ordered to a third reading, read the third time, and passed.

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE.

The bill (S. 10491) to incorporate the Carnegie Endowment for International Peace was announced as next in order on the calendar.

Mr. JONES. I ask that the bill may go over.

Mr. ROOT. I hope the Senator will not insist upon his objection.

Mr. JONES. I will state to the Senator that I think possibly when I have had a little time to examine it we will be able to make an agreement so that he can bring his bill to a vote, so far as I am concerned, but I am not prepared now. Early next week the Senator can get the bill passed, so far as I am concerned, but he will save time by a postponement for the present. I could not consent to have it passed to-day.

Mr. ROOT. Well, Mr. President, I yield, but it is a bill which relates to a very great benefaction, to something which is greatly to the public interest and in the interest of the world. I hope the objection will not materially delay the consideration of the bill by the Senate.

Mr. GALLINGER. I suggest to the Senator from New York that I should likewise like to look into the bill a little. I have in charge a bill on the calendar which is somewhat similar, and it has been very seriously objected to on grounds I think that will bring this bill in the same category. However, I should like to examine it a little further before it is acted upon.

Mr. ROOT. Very well. I hope Senators will make such examination of the bill as is necessary to enable them to reach a conclusion upon it at an early day.

Mr. GALLINGER. I will do so, Mr. President.

The VICE PRESIDENT. The bill goes over.

NORTHERN PACIFIC RAILWAY LANDS.

The bill (S. 10105) to authorize the exchange of certain lands with the Northern Pacific Railway Co. was announced as next in order.

Mr. CULBERSON. Let the bill go over.

The VICE PRESIDENT. It will go over.

ALASKAN COAL LANDS.

The bill (S. 9955) to provide for the leasing of coal and coal lands in the Territory of Alaska was announced as next in order.

Mr. NELSON. Let the bill go over.

The VICE PRESIDENT. It will go over.

TENNESSEE RIVER BRIDGE AT CHATTANOOGA.

The bill (H. R. 31648) to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, Tenn., was announced as next in order.

Mr. CLARK of Wyoming. I notice that a bill of exactly the same title and reported on the same day from the same committee is Order of Business No. 948 (H. R. 31649), which has just been passed. I should like to know the difference.

The VICE PRESIDENT. Apparently it is a different location. The Chair observes that one is at Walnut Street and the other at West Sixth Street.

The bill was considered as in Committee of the Whole; and it was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MOBILE RIVER BRIDGE, ALABAMA.

The bill (S. 10410) to authorize the Pensacola, Mobile & New Orleans Railway Co., a corporation existing under the laws of the State of Alabama, to construct a bridge over and cross the Mobile River and its navigable channels on a line opposite the city of Mobile, Ala., was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, on page 1, line 7, after the word "channels," to insert the words "at a point suitable to the interests of navigation," so as to make the bill read:

Be it enacted, etc., That the Pensacola, Mobile & New Orleans Railway Co., a corporation existing under the laws of the State of Alabama, be, and is hereby, authorized to construct, operate, and maintain a bridge, and its approaches thereto, across the Mobile River and its navigable channels, at a point suitable to the interests of navigation, in the counties of Mobile and Baldwin, in the State of Alabama, on a line opposite the city of Mobile, to be approved by the Secretary of War, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, and repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HELEN S. HOGAN.

The bill (H. R. 25081) for the relief of Helen S. Hogan was announced as next in order.

Mr. SMOOT. Let the bill go over.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The bill goes over.

Mr. KEAN subsequently said: I suggest to the Senator from Utah that in the case of House bill 25081, to which he objected, he misunderstood what the bill is. It is merely to allow a person to have a duplicate Government bond with interest upon it, and she gives security for it.

Mr. SMOOT. I withdraw my objection.

The bill was considered as in Committee of the Whole. It proposes to pay to Helen S. Hogan, of Woodford County, Ky., \$1,000, together with the legally accrued interest thereon from November 1, 1867, the said sum of \$1,000 being the face value of a certain United States Government bond belonging to the loan known as five-twenties of 1862, issued under the act of February 25, 1862. But before making such payment to the said

Helen S. Hogan she shall be required by the Secretary of the Treasury to execute a good, sufficient, and satisfactory bond of indemnity to the United States with the provision that in the event of the subsequent redemption of all three of the outstanding bonds of said loan, being coupon bonds for \$1,000 each, Nos. 67783 and 68668 of the second series and No. 21037 of the third series, five-twentieths of 1862, act of February 26, 1862, the coupons of which, dated November 1, 1867, were the last coupons paid, she shall refund and pay into the United States Treasury the money so paid to her, and that she shall make the United States whole and free from any loss or liability incurred by reason of said payment to her.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMPLOYMENT OF LETTER CARRIERS.

The bill (H. R. 23314) to authorize the employment of letter carriers at certain post offices was considered as in Committee of the Whole. It provides that hereafter when two or more post offices situated within the corporate limits of any city, village, or borough are consolidated by authority of the Postmaster General, and the said offices together produced a gross revenue for the preceding fiscal year of not less than \$10,000, letter carriers may be employed for the free delivery of mail matter in like manner as if any one of said post offices had produced such revenue in said fiscal year.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FOG SIGNAL AT TRINIDAD HEAD LIGHT STATION, CAL.

The bill (S. 10025) for a fog signal and keeper's quarters at the Trinidad Head Light Station, Cal., was considered as in Committee of the Whole.

It proposes to appropriate \$20,000 for a fog signal and keeper's quarters at the Trinidad Head Light Station, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT AND FOG-SIGNAL STATION ON RICHARDSON'S ROCK, CAL.

The bill (S. 10023) for establishing a light and fog-signal station on Richardsons Rock, in the Santa Barbara Islands, Cal., was considered as in Committee of the Whole.

It proposes to appropriate \$140,000 for establishing a light and fog-signal station on Richardsons Rock, in the Santa Barbara Islands, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AIDS TO NAVIGATION ON THE YUKON RIVER, ALASKA.

The bill (S. 10022) for establishing aids to navigation on the Yukon River, Alaska, was considered as in Committee of the Whole.

It proposes to appropriate \$11,400 for establishing aids to navigation on the Yukon River, Alaska.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSISSIPPI RIVER DAM AT SAUK RAPIDS, MINN.

Mr. NELSON. I ask unanimous consent to report back from the Committee on Commerce the bill (S. 10757) to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904, and I submit a report (No. 1144) thereon. I ask for its present consideration. It is a very short bill.

The Secretary read the bill and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TEN EYCK DE WITT VEEDER.

Mr. GALLINGER. I ask unanimous consent to make a report from the Committee on Naval Affairs. I report back without amendment the bill (S. 10172) for the relief of Ten Eyck De Witt Veeder, commodore on the retired list of the United States Navy, and I submit a report (No. 1143) thereon. I call the attention of the senior Senator from Massachusetts [Mr. LODGE] to the bill.

Mr. LODGE. I ask for the present consideration of the bill. There being no objection, the bill was considered as in Committee of the Whole. It authorizes the President to appoint Ten Eyck De Witt Veeder, now a commodore on the retired list of the United States Navy, to the active list of captains of the

United States Navy, to take rank next after Capt. Charles Brainard Taylor Moore, United States Navy. But the said Ten Eyck De Witt Veeder shall be carried as additional to the number in the grade to which he may be appointed under this act or at any time thereafter promoted; and he shall not by the passage of this act be entitled to back pay of any kind.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHTHOUSE TENDER "WISTARIA."

The bill (H. R. 31661) to authorize the Secretary of Commerce and Labor to transfer the lighthouse tender *Wistaria* to the Secretary of the Treasury was considered as in Committee of the Whole.

It proposes that the Secretary of Commerce and Labor be, and he is hereby, authorized to transfer to the Secretary of the Treasury, for the use of the Public Health and Marine-Hospital Service, the lighthouse tender *Wistaria*, which vessel is no longer needed in connection with the work of the Lighthouse Service.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MEDICAL SOCIETY OF THE DISTRICT OF COLUMBIA.

Mr. TILLMAN. I should like to have called up and passed Senate bill 9241.

Mr. SMOOT. We will reach that bill in a very little while in regular order, I will say to the Senator.

Mr. TILLMAN. It is the bill (S. 9241) to amend an act entitled "An act to revive, with amendments, an act to incorporate the Medical Society of the District of Columbia," approved July 7, 1838. I hope the Senator will allow me to get through with it.

Mr. SMOOT. Very well.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

POINT FERMIN LIGHT STATION, CAL.

The bill (S. 10008) for a flashing light to replace the fixed light now at the Point Fermin Light Station, Cal., was considered as in Committee of the Whole.

It proposes to appropriate \$4,000 for a flashing light to replace the fixed light now at the Point Fermin Light Station, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SANTA BARBARA LIGHT STATION, CAL.

The bill (S. 10017) for a flashing light, a fog signal, and a keeper's dwelling at the Santa Barbara Light Station, Cal., was considered as in Committee of the Whole. It proposes to appropriate \$20,000 for a flashing light, a fog signal, and a keeper's dwelling at Santa Barbara Light Station, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FOG SIGNAL AT FORT POINT LIGHT STATION, CAL.

The bill (S. 10010) for the substitution of a first-class fog signal to replace the present Daboll trumpet at the Fort Point Light Station, Cal., was considered as in Committee of the Whole. It proposes to appropriate \$11,000 for the substitution of a first-class fog signal to replace the present Daboll trumpet at the Fort Point Light Station, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WACCAMAW RIVER BRIDGES, SOUTH CAROLINA.

Mr. SMITH of South Carolina. I ask unanimous consent for the present consideration of the bill (H. R. 29715) to extend the time for commencing and completing bridges and approaches thereto across the Waccamaw River, S. C.

Mr. SCOTT. I object. Let us proceed with the calendar. We have all got little bills on the calendar in which we are interested. I myself am sitting here waiting for two to be reached. We shall get to the Senator's bill in a few moments.

BEACON LIGHTS, ETC., ON PUGET SOUND, WASH.

The bill (S. 10012) for the establishment of acetylene-gas beacon lights, lighted buoys, and fog signals at or near Point Herron, Point Glover, Apple Cove Point, Bush Point, Point Partridge, and the improvement of the lights and fog signals at Marrowstone Point and Slip Point, Puget Sound, Wash.,

was considered as in Committee of the Whole. It proposes to appropriate \$41,600 for the establishment of acetylene-gas beacon lights, lighted buoys, and fog signals at or near Point Herron, Point Glover, Apple Cove Point, Bush Point, Point Partridge, and the improvement of the lights and fog signals at Marrowstone Point and Slip Point, Puget Sound, Wash.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 6754) for the relief of the Alabama Great Southern Railroad Co. was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 730) for the relief of the several States under the act of July 8, 1898, and acts amendatory thereto, was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

LINCOLN C. ANDREWS.

The bill (S. 9954) for the relief of Lincoln C. Andrews was considered as in Committee of the Whole. It proposes to pay to Lincoln C. Andrews, captain, Fifteenth Cavalry, United States Army, \$150 for the loss of his horse by the Quartermaster's Department at Santiago, Cuba, in 1898.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF LAMONT STREET.

Mr. SCOTT. Mr. President, I should like to ask the Senator from New Jersey [Mr. KEAN], for I was out of the Senate at the time, why he asked to have the bill (S. 9707) to authorize the extension of Lamont Street NW., in the District of Columbia, passed over? That is a very important bill, and it has been considered by a subcommittee of the Committee on the District of Columbia, which has examined conditions at that point. Unless the bill shall be passed, people will build across the end of the street, and at some time the Government will have to pay a large sum to have the street opened.

Mr. KEAN. Mr. President, I have had several letters and communications in regard to that bill, which I did not happen to have in my desk when it came up. I therefore asked to have it go over until I could look into the matter.

Mr. SCOTT. I would ask the Senator from Florida [Mr. FLETCHER], who was on the subcommittee, if he will not make a statement, and possibly the Senator from New Jersey will then allow the bill to be acted upon.

Mr. KEAN. I think we had better go on with the regular order.

Mr. SCOTT. This is part of the regular order.

The PRESIDING OFFICER. Objection is made. The next bill on the calendar will be stated.

FIRE ESCAPES IN THE DISTRICT.

The bill (S. 6582) to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with amendments, on page 1, line 6, after the date "1906," to insert "as amended by act of Congress approved March 2, 1907;" on page 2, line 10, after the word "extend," to strike out the words "to or;" in line 11, after the word "with," to insert "ventilating;" in the same line, after the word "skylight," to strike out "window, doors, or other means of ventilating;" line 12, after the word "buildings," to strike out "except stores and warehouses;" in line 15, after the word "escapes," to insert "and;" and line 16, after the word "signs," to strike out "lights, and alarm gongs" and to insert "when the stairways, elevator shafts, and means of egress are reasonably safe, in the judgment of the Commissioners of the District of Columbia," so as to make the bill read:

Be it enacted, etc., That section 5 of an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906, as amended by act of Congress approved March 2, 1907, be, and the same is hereby amended to read as follows:

"Sec. 5. That each elevator shaft and stairway extending to the basement of the buildings heretofore mentioned shall terminate in a fireproof compartment or inclosure separating the elevator shaft and stairs from other parts of the basement, and no opening shall be made or maintained in such compartment or inclosure unless the same be provided with self-closing fireproof doors; and that such elevator shaft shall extend above the roof and shall terminate with ventilating skylight; that such buildings as are defined under the building regulations of the District of Columbia to be fireproof are exempted from the requirements of this act as to fire escapes and guide signs when the stairways, elevator shafts, and means of egress are reasonably safe, in the judgment of the Commissioners of the District of Columbia."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend an act entitled 'An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes,' approved March 19, 1906, as amended by act of Congress approved March 2, 1907."

DISTRICT POLICE AND FIREMEN'S RELIEF FUND.

The bill (S. 288) for the creation of the police and firemen's relief fund, to provide for the retirement of members of the police and fire departments, to establish a method of procedure for such retirement, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, page 2, line 3, after the word "member," to insert "or members," and in line 6, after the word "department," to strike out "\$1 per month to be deducted from the pay" and insert "a deduction of 1½ per cent of the monthly salary," so as to make the section read:

That from and after the passage of this act the funds designated by law as the "police fund," the "police fund," and the "firemen's relief fund" shall be designated as the "police and firemen's relief fund, District of Columbia," and the said fund shall consist of all fines imposed by the Commissioners of the District of Columbia upon members of the police and fire departments by way of discipline; all rewards, proceeds of gifts, and emoluments that may be received by any member of said departments for extraordinary services, except such as may be allowed to be retained by such member or members on the approval of the said commissioners; all net receipts and moneys arising from the sale of unclaimed property in the custody of the property clerk of the police department; a deduction of 1½ per cent of the monthly salary of each member of the police and fire departments; and all fines and forfeitures paid into the police court of the District of Columbia, all of which shall be collected by the collector of taxes of the District of Columbia and be by him deposited in the Treasury of the United States, in the manner provided by law, to the credit of the trust fund denominated "police and firemen's relief fund, District of Columbia," and be held subject to the drafts of the Commissioners of the District of Columbia for the purposes hereinafter set forth; all expenditures to be made according to law and to be accounted for in the manner provided by law: *Provided*, That should the police and firemen's relief fund at any time be insufficient to defray the expenditures hereinafter mentioned, then, and in that event, the Commissioners of the District of Columbia are authorized, and they shall direct, the collector of taxes of said District to deposit, and said collector shall thereupon deposit, in the Treasury of the United States, to the credit of said fund, out of receipts from all licenses other than liquor licenses, a sufficient amount to meet any deficiency in said fund.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 21, after the word "department," to strike out "not to exceed one-half of the annual salary to which he was entitled at the time of such discharge" and insert "as follows: Chief engineer, a sum not to exceed \$150 per month; deputy chief engineer, a sum not to exceed \$125 per month; battalion chief, fire marshal, and superintendent of machinery, a sum not to exceed \$100 per month; deputy fire marshals and captains, a sum not to exceed \$90 per month; lieutenants, a sum not to exceed \$75 per month; assistant superintendent of machinery, a sum not to exceed \$60 per month; engineers and drivers, a sum not to exceed \$55 per month; assistant engineers and assistant drivers, a sum not to exceed \$52.50 per month; inspectors and privates, a sum not to exceed \$50 per month;" on page 4, line 20, after the word "in," to strike out "either case" and insert "any case of the police and fire departments;" and in line 25, after the word "department," to insert "before or after retirement," so as to make the section read:

SEC. 3. That should any officer or member of the police or fire department become so permanently disabled through injury or disease contracted in the line of duty, or, having served not less than 15 years, shall, for any cause, become so permanently disabled as to be discharged from the service therefor, he shall be entitled to relief from the said fund in an amount, in the case of an officer or member of the fire department, as follows: Chief engineer, a sum not to exceed \$150 per month; deputy chief engineer, a sum not to exceed \$125 per month; battalion chief, fire marshal, and superintendent of machinery, a sum not to exceed \$100 per month; deputy fire marshals and captains, a sum not to exceed \$90 per month; lieutenants, a sum not to exceed \$75 per month; assistant superintendent of machinery, a sum not to exceed \$60 per month; engineers and drivers, a sum not to exceed \$55 per month; assistant engineers and assistant drivers, a sum not to exceed \$52.50 per month; inspectors and privates, a sum not to exceed \$50 per month; and in the case of an officer or member of the police department, as follows:

Major and superintendent, a sum not to exceed \$150 per month; inspector and assistant superintendent, a sum not to exceed \$125 per month; inspector, a sum not to exceed \$100 per month; captain, a sum not to exceed \$90 per month; lieutenant, a sum not to exceed \$75 per month; sergeant, a sum not to exceed \$60 per month; private, a sum not to exceed \$50 per month, as may be justified, in any case of the police and fire departments, by the length of service and the nature of the injury or disease, as such disability may be determined by the retiring board hereinafter provided for; that in case of the death of any officer or member of the police or fire department before or after

retirement from injury or disease contracted in the line of duty, leaving a widow, or children under 16 years of age, or a dependent father or mother, or both, such widow or such relative shall be entitled to a pension to be paid from the said relief fund, the amount thereof to be determined by the retiring board hereinafter provided for: *Provided*, That in no case shall the amount paid to any one family exceed the sum of \$50 per month, and that upon the remarriage of any widow her pension under this act shall immediately cease, and that any pension to or for her children under 16 years of age shall cease upon their attaining such age.

The amendment was agreed to.

The next amendment was, in section 4, page 5, line 14, after the word "service," to insert "therein," and in line 15, after the word "five," to strike out "consecutive," so as to make the section read:

Sec. 4. That any officer or member of the police or fire department of the District of Columbia who may have performed police or fire service therein for a period of 25 years shall be entitled to retirement from such department and to a pension to be paid from the said police and firemen's relief fund in an amount not to exceed that provided by section 3 of this act, as may be determined by the retiring board.

The amendment was agreed to.

The next amendment was, in section 6, page 6, line 23, after the word "pension," to insert "or allowance," so as to read:

The said retiring board shall give notice to any applicant for relief or pension to be present before it and give any evidence that he may desire, and the proceedings of the said board shall be reduced to writing and shall show the date of appointment of the officer or member under inquiry, his age, his record in the service, and any other information that may be pertinent to the matter of pension or allowance, and shall show what amount, if any, is awarded the applicant by way of relief or pension.

The amendment was agreed to.

The next amendment was, in section 7, page 7, at the beginning of the section, to strike out "That where allowances are made as hereinbefore provided, the same shall be permanent and not subject to discontinuance or reduction" and insert "That within 60 days following the 1st day of July, 1911, and every two years thereafter, the commissioners may cause any person or persons receiving an allowance from the police and firemen's relief fund to undergo such medical or other examination as in the judgment of the commissioners may be necessary to enable them to determine whether the pension in such case or cases shall be increased or reduced; and the commissioners are hereby authorized to increase or reduce the allowance of pensioners as the result of such examination: *Provided, however*, That should a pensioner fail or refuse to undergo the examination prescribed by the commissioners, the allowance of such pensioner may be reduced or entirely discontinued by the commissioners."

Mr. GALLINGER. Mr. President, some years ago I had occasion to incorporate a provision of this kind in a bill, and I think the word "may," in line 14, should be "shall," so that this and the examination once in two years will be obligatory. I move that amendment to the amendment of the committee.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to amend the committee amendment on page 7, line 14, before the word "cause," by striking out the word "may" and inserting the word "shall."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 8, line 5, before the word "board," to strike out "said" and insert "retiring," so as to read:

Provided, however, That the commissioners may discontinue any relief or pension upon duly certified information from a court of record that any person so pensioned or retired has been guilty of any crime involving moral turpitude or where any such person is found by the retiring board, after notice and trial, to be an habitual drunkard or guilty of lewd or lascivious conduct.

The amendment was agreed to.

The next amendment was, in section 8, page 8, line 13, after the word "such," to strike out "discharged or;" and in line 19, after the word "board," to insert "without compensation therefor," so as to make the section read:

Sec. 8. That any such retired officer or member of the police or fire department in time of flood, riot, great fires, during extraordinary assemblages or unusual emergencies, may be called by the head of the respective department into the service of the District police or fire force for such duty as his disabilities will permit of his performing, as ascertained and certified by the retiring board, without compensation therefor.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT HIGHWAY SYSTEM.

The bill (H. R. 20375) to authorize certain changes in the permanent system of highways, District of Columbia, was considered as in Committee of the Whole. It authorizes the Commissioners of the District of Columbia to prepare a new high-

way plan for that triangular portion of the District of Columbia lying north of Rittenhouse Street, west of Thirty-third Street, and southeast of the District line, under the provisions contained in the act of Congress approved March 2, 1893, entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," and an amendment to that act approved June 28, 1898; and upon the completion and recording of the new highway plan it shall take the place of and stand for any previous plan for that portion of the District of Columbia.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXTENSION OF THIRTEENTH STREET, DISTRICT OF COLUMBIA.

The bill (H. R. 22688) to authorize the extension of Thirteenth Street NW. from its present terminus north of Madison Street to Piney Branch Road was considered as in Committee of the Whole.

Mr. BURTON. I should like to make an inquiry in regard to that bill. There is rather a singular provision in it, which reads:

Provided, however, That the entire amount found to be due and awarded by the jury in said proceeding as damages, for and in respect of the land to be condemned for said extension, plus the costs and expenses of said proceeding, shall be assessed by the jury as benefits.

Does that mean that the District Commissioners are instructed to go through the form of condemnation and assess back the cost upon the owners whose lands they condemn?

Mr. GALLINGER. It means, I think, just that. We frequently provide in bills for the opening of streets that a percentage shall be assessed as benefits, and in certain cases, where the commissioners are of opinion that adjoining land will be very greatly benefited, there is no limit as to the direction in which they may assess benefits, except that the property shall be in the vicinity of the street. We have followed their recommendation in this case to assess the entire amount. In several instances that has been done without objection. I do not know whether it is good policy or not, but it is the policy recommended by the commissioners, who investigate these matters and who practically control them, except as we legislate giving them the authority.

Mr. BURTON. I should like to ask whether any hearing was granted upon that bill, and if there was objection made to it.

Mr. GALLINGER. There was not any objection. Those of us who are connected with matters relating to the District of Columbia know that if there is objection to any bill—and bills affecting the District are always carefully examined by the citizens—we hear from those interested, and hearings are demanded in many cases. We always give hearings where they are requested. I do not think any objection was urged to the matter. I do not remember any.

Mr. BURTON. That is, the Senator from New Hampshire states that no objection, so far as he recalls, was made to the bill?

Mr. GALLINGER. So far as I can recall. If there had been, the objectors would certainly have had an opportunity to appear before the subcommittee and present their case.

Mr. BURTON. I called attention to it because it seems like a very singular provision. We might as well pass a bill to take the land at once, without going through all this circumlocution in regard to it.

Mr. SCOTT. As chairman of the subcommittee, I may say there was no application made to me for any hearing in regard to the matter.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COMMODORE BARNEY CIRCLE.

The bill (S. 8645) to confirm the name of Commodore Barney Circle for the circle located at the eastern end of Pennsylvania Avenue SE., in the District of Columbia, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IRVING STREET, DISTRICT OF COLUMBIA.

The bill (S. 9239) to change the name of Fort Drive from Seventeenth to Eighteenth Streets NE. to Irving Street was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with an amendment in line 6, after the word "Fort," to strike out "Drive" and insert "Place;" so as to make the bill read:

Be it enacted, etc., That the name of the street lying in the county of Washington, D. C., in the tract of land known as Sherwood's addition to Brookland, running from Seventeenth to Eighteenth Streets,

and now called Fort Place, be, and the same shall henceforth be, known as Irving Street. And the Commissioners of the District of Columbia are hereby directed to cause the name of Irving Street, from Seventeenth to Eighteenth Streets NE., to be placed upon the plats and maps of the District of Columbia.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to change the name of Fort Place, from Seventeenth to Eighteenth Streets NE., to Irving Street."

TRADE-MARKS.

The bill (H. R. 24749) revising and amending the statutes relative to trade-marks was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXCHANGE OF LANDS BY THE RECLAMATION SERVICE.

The bill (S. 6878) to authorize the acquisition of lands by the Reclamation Service by exchange, and for other purposes, was considered as in Committee of the Whole.

Mr. KEAN. I should like to ask the Senator from Oregon to explain the bill. It seems to be all right, but I think it is an important bill.

Mr. CHAMBERLAIN. It frequently happens that in the construction of these irrigation plants it becomes necessary for the Reclamation Service to acquire private holdings, and they are compelled frequently to pay exorbitant prices for those lands. It has been ascertained that in many cases where individuals own lands that are necessary for reservoir sites the Reclamation Service can exchange lands within the irrigation project for these holdings, and do it at a large saving to the Government.

The bill has been considered very carefully by the Committee on Irrigation, and they were unanimous in reporting it favorably.

Mr. GALLINGER. It is under the jurisdiction of the Secretary of the Interior? That is the change?

Mr. CHAMBERLAIN. Yes; it is under the jurisdiction of the Secretary of the Interior.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROFESSOR OF MATHEMATICS, UNITED STATES NAVY.

The bill (S. 10342) providing for the appointment of an additional professor of mathematics in the Navy was announced as next in order.

Mr. KEAN. Let the bill go over.

The PRESIDING OFFICER. The bill is passed over.

REPRESENTATIVES OF WILLIAM M. WIGHTMAN, DECEASED.

The bill (H. R. 24123) for the relief of the legal representatives of William M. Wightman, deceased, was considered as in Committee of the Whole. It proposes to pay to the legal representatives of William M. Wightman, deceased, \$3,220.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER. I move to strike out the preamble.

The motion was agreed to.

PENNSYLVANIA ENGINEER CO., PHILADELPHIA, PA.

The bill (H. R. 23888) for the relief of the Pennsylvania Engineer Co., of the city of Philadelphia, was announced as next in order on the calendar.

Mr. SMOOT. Is there a report on the bill? I do not see it on the file.

The PRESIDING OFFICER. There is no report.

Mr. SMOOT. Let it go over.

The PRESIDING OFFICER. The bill goes over.

EVAN M. JOHNSON.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution (H. Con. Res. 59) from the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 14729) for the relief of Capt. Evan M. Johnson, United States Army, the enrolling clerk of the House is hereby authorized and directed to strike out of line 10 of the engrossed bill the words "March 24, 1902," and insert in lieu thereof the words "May 16, 1899," the latter being the date of the sinking of the transport Meade, mentioned in the bill in question.

Mr. BULKELEY. I ask the Senate to concur in the resolution.

The concurrent resolution was considered by unanimous consent and agreed to.

JOHN G. STAUFFER & SON.

The bill (H. R. 1883) for the relief of John G. Stauffer & Son was considered as in Committee of the Whole.

It proposes to pay \$50 to John G. Stauffer & Son, of Master-sonville, Pa., for damages done to their property during target practice by certain batteries of field artillery at Mount Gretna, Pa., during the month of October, 1904.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DENISON COAL CO.

Mr. BAILEY. I ask unanimous consent for the present consideration of the bill (S. 8008) granting to Savanna Coal Co. right to acquire additional acreage to its existing coal lease in the Choctaw Nation, Pittsburg County, Okla., and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. BAILEY. That subject matter was disposed of by placing it as an amendment on a general bill. At the same time and in the same connection I secured an amendment covering a similar case for some of my constituents, but I used at that time a bill which had been introduced in the House, and it afterwards transpired that the metes and bounds as fixed in that bill were not accurate. That mistake has been corrected by the honorable gentleman who represents that district, and I intend to offer as a substitute for the bill on the calendar the House bill, which simply corrects the mistake we made when the Senate, on my motion, passed the other bill.

I offer as a substitute for the bill on the calendar the following, which I send to the desk.

The PRESIDING OFFICER. The Secretary will report the substitute.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and hereby is, authorized to permit the Denison Coal Co. to relinquish certain lands embraced in its existing Choctaw and Chickasaw coal lease which have been demonstrated to be not valuable for coal, as follows: The south half of the north half and south half of section 36, township 1 north, range 9 east; and north half of section 1, township 1 south, range 9 east; and the northwest quarter of section 6, township 1 south, range 10 east of the Indian meridian, containing in all 960 acres of land, more or less, and to include within the lease in lieu thereof the following described land, which is within the segregated coal area and unleased: The southwest quarter of southeast quarter of section 30; northeast quarter of section 31; north half of southeast quarter of section 31; southwest quarter of southwest quarter of section 28; northeast quarter of northeast quarter of section 29; south half of northeast quarter of section 29 and south half of section 29; southeast quarter of southeast quarter of section 30; northwest quarter of northeast quarter of section 32; southwest quarter of northwest quarter of section 32; north half of northwest quarter of section 32; all in township 1 north, range 10 east, of the Indian base and meridian, containing in all 960 acres.

The PRESIDING OFFICER. Does the Senator from Texas propose this as an amendment, or does he propose to substitute it for the Senate bill?

Mr. BAILEY. I move to strike out all after the enacting clause and insert this. Then, of course, it will be necessary to make a corresponding amendment to the title of the bill.

I want to say that this matter is a little complicated, because the property is located in another State, which, under ordinary circumstances, I should not assume to legislate about, but the parties interested are constituents of my own. I have conferred with both of the Senators from the State of Oklahoma, and neither of them has any objection to this bill.

Mr. GALLINGER. I will ask the Senator if the text of the bill as read from the desk is a bill passed by the House?

Mr. BAILEY. No; but it is a bill introduced into the House.

Mr. GALLINGER. Oh!

Mr. BAILEY. But the same subject matter has passed both Houses of Congress.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Texas.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read, "A bill authorizing the Secretary of the Interior to permit the Denison Coal Co. to relinquish certain lands embraced in its existing Choctaw and Chickasaw coal lease, and for other purposes."

ELECTION OF SENATORS BY DIRECT VOTE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 134) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Mr. BROWN. Unless some Senator desires to speak on the joint resolution, I ask that it be laid temporarily aside.

The PRESIDING OFFICER. The Senator from Nebraska asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered.

Mr. BROWN. At this time I desire to give notice that with the indulgence of the Senate I will speak on this joint resolution immediately after the routine morning business on Wednesday next.

Mr. KEAN. I think the Senator from Nebraska had better examine the unanimous-consent agreement before he gives that notice.

Mr. BRANDEGEE subsequently said: The Senator from Nebraska a few minutes ago gave notice of his intention to address the Senate on another matter on the 15th than the business assigned for that day. I do not suppose that could be done even by unanimous consent, there being a unanimous-consent agreement already on the calendar for the same time. I did not want it to appear in the Record without the statement that I think the matter assigned for the 15th of February will take that entire day.

The PRESIDING OFFICER. It is a special order?

Mr. BRANDEGEE. It is a unanimous-consent agreement adopted at the last session.

Mr. SMOOT. I just heard the Senator from Nebraska say that no doubt before the day closes he would change the notice. He is out of the Chamber now. I rather think he will change the notice before the day is over.

The PRESIDING OFFICER. The Senator from Nebraska would be compelled to take his chances on that day at any rate.

THE CALENDAR.

Mr. CULBERSON. I see a number of Senators on their feet, and they have risen probably to ask for the consideration of measures. I have waited over an hour to reach the very next bill on the calendar, and I insist on the regular order, at least for the present.

Mr. GALLINGER, Mr. SMOTT, and others. Regular order!

The PRESIDING OFFICER. The calendar will be proceeded with.

PUBLIC BUILDING AT HOUSTON, TEX.

The bill (S. 10189) to amend an act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, was announced as next in order on the calendar, and it was considered as in Committee of the Whole. It proposes to repeal the last proviso of section 20, chapter 3916, Thirty-fourth United States Statutes at Large, "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," which proviso reads as follows:

Provided further, That upon the completion of the building herein authorized to be constructed, the Secretary of the Treasury shall proceed by due and proper advertisement, and under such regulations, conditions, and stipulations as he may prescribe, or as Congress may hereafter direct, to sell to the highest bidder the present building and site upon which it is located, in Houston, Tex., now owned by the United States Government and now used and occupied as a post office, courthouse, customhouse, and for other governmental purposes, and deposit the proceeds thereof into the Treasury of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT GRAFTON, W. VA.

The bill (S. 9123) to increase the limit of cost for the erection of the United States post-office building at Grafton, W. Va., was considered as in Committee of the Whole. It proposes to increase from \$135,000 to \$170,000 the limit of cost for the erection of the United States post-office building at Grafton, W. Va., provided for in section 3 of "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved June 25, 1910.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT SISTERSVILLE, W. VA.

The bill (S. 9124) to increase the limit of cost for the erection of the United States post-office building at Sistersville, W. Va., was considered as in Committee of the Whole. It proposes to increase from \$60,000 to \$75,000 the limit of cost for the erection of the United States post-office building at Sistersville, W. Va., provided for in section 3 of "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved June 25, 1910.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT LANCASTER, KY.

The bill (S. 5036) for the erection of a public building at Lancaster, Ky., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with amendments, on page 1, line 4, after the word "to," to strike out the words "acquire, by purchase, condemnation, or otherwise, a site and;" in line 5, after the word "erected," to strike out the word "thereon" and insert "upon the site already selected, as provided by act approved June 25, 1910, in the city of Lancaster, Ky.;" on page 2, line 1, before the word "building," to strike out the words "site and;" and in the same line, before the word "thousand," to strike out "seventy-five" and insert "forty-five," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected upon the site already selected, as provided by act approved June 25, 1910, in the city of Lancaster, Ky., a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, approaches, and other necessary appurtenances, for the use and accommodation of the United States as a post office and other governmental purposes, at Lancaster, Ky., the cost of said building not to exceed the sum of \$45,000, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PARK IN WASHINGTON, D. C.

The bill (S. 6645) for the establishment of a park at the junction of Maryland Avenue, Fifteenth Street, and H Street NE., Washington, D. C., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SQUARE NO. 857, WASHINGTON, D. C.

The joint resolution (S. J. Res. 82) directing that a portion of square No. 857, in the city of Washington, D. C., be reserved for use as an avenue and improved, was considered as in Committee of the Whole.

The resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LAND-OFFICE REGISTERS.

The bill (H. R. 6043) for the relief of registers and former registers of the United States land offices was announced as next in order.

Mr. KEAN. Let the bill go over.

The PRESIDING OFFICER. The bill will go over.

OLIVA J. BAKER.

The bill (H. R. 6776) for the relief of Oliva J. Baker, widow of Julian G. Baker, late quartermaster, United States Navy, was considered as in Committee of the Whole. It proposes to pay to Oliva J. Baker, widow of Julian G. Baker, late quartermaster, United States Navy, \$1,022. The widow shall receive one-half, and the children shall share and share alike in one-half. But no agent, attorney, firm of attorneys, or other persons engaged heretofore, or hereafter, in preparing, presenting, or prosecuting any claim above referred to shall, directly or indirectly, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim, or for any service or act whatsoever in connection of such claim, a sum greater than 5 per cent of the amount of such claim, and any person who shall violate the above provisions shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed \$500.

or be imprisoned not exceeding one year, or both, in the discretion of the court.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SHERMAN COUNTY SETTLERS, OREGON.

The bill (S. 4678) to adjust the claims of certain settlers of Sherman County, Oreg., was announced as next in order.

Mr. KEAN. I ask the Senator from Oregon if he has any idea as to the amount of money required under the bill?

Mr. BOURNE. It is stated in the bill, \$250,000.

Mr. CULLOM. Is it a House bill or a Senate bill?

Mr. BOURNE. It is a Senate bill.

Mr. KEAN. Let the bill go over.

The PRESIDING OFFICER. The bill goes over, on the objection of the Senator from New Jersey.

Mr. CHAMBERLAIN subsequently said: I hope the Senator from New Jersey will withdraw his objection to the consideration of Senate bill 4678. If the Senator will examine the report which is attached to the bill he will find that a bill of similar import has once passed the Senate, and, besides, it is recommended by the Secretary of the Interior. It is for the purpose of repaying men who through the erroneous action of the Secretary of the Interior lost their homes in Sherman County. It has been pending a long time, and the claim has been carefully investigated by the Committee on Claims. I hope the Senator will withdraw his objection.

The PRESIDING OFFICER. Is there objection to returning to the bill?

Mr. KEAN. I have no objection to going back to it.

The PRESIDING OFFICER. The bill will be read.

The bill was read and considered as in Committee of the Whole.

Mr. KEAN. I think the bill requires more of an explanation than has been given.

Mr. CHAMBERLAIN. It could hardly be more fully explained than it is explained in the report of the committee and in the letter of the Secretary of the Interior which is attached to and made a part of the report.

Mr. KEAN. Let the report be read.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary proceeded to read the report submitted by Mr. BRADLEY on the 7th instant, as follows:

The Committee on Claims, to which was referred the bill (S. 4678) to adjust the claims of certain settlers in Sherman County, Oreg., having had the same under consideration, begs leave to report the bill back with the recommendation that it do pass with the following amendment:

In line 13, page 1, change "February 6" to read "February 26."

This is merely the correction of a clerical error and in no way changes the effect of the bill.

This bill provides for the appropriation of certain sums of money to certain settlers named in a report by Special Agent Thomas B. Neuhausen, of the Department of the Interior, which report was transmitted to Congress December 6, 1904, by Secretary of the Interior E. A. Hitchcock and published as House Document No. 36, Fifty-eighth Congress, third session.

Concerning this report the present Secretary of the Interior says, in a letter hereto attached, that the investigation conducted by Special Agent Neuhausen was exhaustive, that the department accepts the facts as developed in the investigation, and that the facts so ascertained may be safely made the basis for such further relief as Congress deems proper to extend.

The claims of these settlers are based upon the erroneous action of the Secretary of the Interior, as set forth at length in the report above mentioned and summarized in the letter from the Secretary of the Interior R. A. Ballinger, hereto attached. The basis of their claims is essentially the same as that of what were known as the Des Moines River settlers, for whose relief an appropriation was made by Congress in the act of August 18, 1894 (28 Stat., 396).

Believing that the precedent established in the case of the Des Moines River settlers is in accordance with justice and equity, we recommend that similar relief be extended to the Sherman County, Oreg., settlers, and hence recommend the passage of this bill.

The letter from Secretary of the Interior R. A. Ballinger, above referred to, is as follows—

Mr. KEAN. I suggest that the last paragraph of the letter of the Secretary of the Interior be read to show the great warmth with which he recommends the bill.

Mr. BOURNE. Mr. President, if the Senator will permit me—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Oregon?

Mr. KEAN. Certainly.

Mr. BOURNE. I will give a history of this case:

In 1864 the United States made a grant of lands to the Northern Pacific Railroad Co. in aid of the construction of a railroad (13 Stat. L., 365). A portion of the lands covered by this grant were in Sherman County, Oreg.

Three years later, in 1867, the United States made a grant of lands to the State of Oregon in aid of the construction of a military wagon road (14 Stat. L., 409), and this grant was

conveyed by the State to The Dalles Military Wagon Road Co. These two grants overlapped in Sherman County, Oreg.

The Northern Pacific Co. did not build the line, as contemplated, through Sherman County, and, in 1890, Congress passed an act declaring the grant forfeited in certain portions, including that portion known as the overlap (26 Stat., 496).

This forfeiture having been declared, the Department of the Interior declared the lands open to entry, holding that the grant in aid of a military wagon road never attached to that portion of the land included in the overlap. The settlers, whose claims are now before Congress, went upon the lands, built homes, improved their property, and complied generally with the homestead laws.

Litigation between settlers and the Eastern Oregon Land Co., successor to the Wagon Road Co., ensued, and after years of uncertainty the United States Supreme Court decided in favor of the grant (176 U. S., 51 and 58).

These settlers, who had relied upon the order of the Secretary of the Interior restoring these lands to entry, were therefore either ousted entirely, or compelled to protect themselves by purchasing title from the land company. Their claim is based upon the fact that they were misled by the action of the Department of the Interior in declaring these lands subject to entry.

Those are the facts relative to it.

Mr. KEAN. I ask to have read the last paragraph of the letter of the Secretary of the Interior.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

In submitting these reports the department made no recommendation, and as the entire record, which appeared to contain all the information necessary to enable Congress to determine the measure of relief which should be extended, is before Congress, I am not in a position to make any specific recommendations. I deem it proper to add, however, that the department accepts the facts as developed in the investigation heretofore made and reported to Congress, and believes the same to be more dependable than data gathered through an investigation at this time. It follows that any further investigation could only result in expense both to the Government and the claimants. For these reasons it is suggested that the facts heretofore ascertained may be safely made the basis for such further relief as Congress deems proper to extend.

Very respectfully,

THE COMMITTEE ON CLAIMS,
United States Senate.

R. A. BALLINGER, Secretary.

The PRESIDING OFFICER. The amendment of the Committee on Claims will be stated.

The SECRETARY. On page 2, line 6, after the word "February," strike out "sixth" and insert "twenty-sixth."

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BERING RIVER BRIDGES, ALASKA.

The bill (S. 9864) to authorize the Controller Railway & Navigation Co. to construct two bridges across the Bering River, in the Territory of Alaska, and for other purposes, was announced as next in order.

Mr. JONES. Let the bill go over.

The PRESIDING OFFICER. The bill goes over.

BRIDGE ACROSS RED RIVER OF THE NORTH.

The bill (H. R. 30793) to authorize the Fargo & Moorhead Street Railway Co. to construct a bridge across the Red River of the North was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE.

The bill (H. R. 31927) authorizing the town of Blackberry to construct a bridge across the Mississippi River in Itasca County, Minn., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WACCAMAW RIVER BRIDGES, SOUTH CAROLINA.

The bill (H. R. 29715) to extend the time for commencing and completing bridges and approaches thereto across the Waccamaw River, S. C., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MONONGAHELA RIVER BRIDGE, PENNSYLVANIA.

The bill (H. R. 31171) to amend an act entitled "An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Co.,"

approved March 2, 1907, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INDIAN ALLOTMENTS.

Mr. JONES. I shall have to leave the Chamber in a little while and I ask that Senate bill 10530, Order of Business No. 1055, be passed over if it is reached.

SURG. I. W. KITE.

The bill (S. 8608) to authorize the President of the United States to place upon the retired list of the United States Navy Surg. I. W. Kite, with the rank of medical inspector, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 6, after the word "Kite," to insert the following proviso:

Provided, That the said I. W. Kite shall not, by the passage of this act, be entitled to any pay or allowances.

So as to make the bill read:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to place upon the retired list of the United States Navy, with the rank of medical inspector, the name of Surg. I. W. Kite: *Provided*, That the said I. W. Kite shall not, by the passage of this act, be entitled to any pay or allowances.

Mr. GALLINGER. In the amendment the word "back" should be inserted after the word "any" and before "pay," so as to read "any back pay or allowances." I move that amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. WALSH.

The bill (S. 9271) for the relief of William H. Walsh was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 8, after the word "grade," to insert the following proviso:

Provided, That the said William H. Walsh shall not, by the passage of this act, be entitled to back pay or allowances.

So as to make the bill read:

Be it enacted, etc., That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, appoint William H. Walsh, midshipman, United States Navy, an ensign in the United States Navy, and place him upon the retired list as such with three-quarters pay of his grade: *Provided*, That the said William H. Walsh shall not, by the passage of this act, be entitled to back pay or allowances.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS AT BUFFALO, WYO.

The bill (H. R. 30727) providing for the sale of certain lands to the city of Buffalo, Wyo., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TARIFF BOARD.

The bill (H. R. 32010) to create a tariff board was announced as next in order.

Mr. GALLINGER. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

FORT BRIDGER MILITARY RESERVATION LANDS.

The bill (H. R. 23827) extending the provisions of section 4 of the act of August 18, 1894, and acts amendatory thereto, to the Fort Bridger abandoned military reservation in Wyoming was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES E. MILLER.

The bill (H. R. 25234) authorizing the issuance of a patent to certain lands to Charles E. Miller was considered as in Committee of the Whole. It directs the Secretary of the Interior to issue a patent to Charles E. Miller, for the benefit of his grantees and their successors, for the land embraced in his homestead entry, serial No. 0287, Lander, Wyo., according to description to be determined by special survey or otherwise, as the Secretary of the Interior may find necessary, corresponding as nearly as possible to the entry as made, upon the payment of

all reclamation charges against such lands and the usual commissions and also the cost of survey, if any.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RESURVEY OF LANDS IN WYOMING.

The bill (S. 10208) authorizing the resurvey of certain lands in the State of Wyoming was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with amendments, on page 1, line 8, after the word "four," to strike out "and," and in the same line, after the word "five," to insert the words "and six," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be made, in the manner now provided by law for the survey and resurvey of public lands, and from time to time, as may be necessary, a resurvey of the following-described lands: Sections 1, 2, 3, 4, 5, and 6, in townships 12 north, ranges 62 and 63 west, sixth principal meridian, all in the State of Wyoming; and all rules and regulations of the Interior Department requiring petitions from all settlers in said townships asking for resurvey and agreements to abide by the results of same, so far as any of these lands are concerned, are hereby abrogated: *Provided*, That nothing herein contained shall be so construed as to impair the present bona fide claim of any actual occupant of any of said lands so occupied: *And provided further*, That before any survey is ordered under this act it shall be made to appear to the Secretary of the Interior that the former official survey of said lands is so inaccurate or obliterated as to make it necessary to resurvey the lands, and only such parts of lands described herein where the survey is so inaccurate or obliterated shall be resurveyed.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MEMORIAL ADDRESSES ON THE LATE SENATOR STEPHEN B. ELKINS.

The PRESIDING OFFICER. The hour of half past 2 having arrived, the special order of the Senate will be taken up.

Mr. SCOTT. Mr. President, in pursuance of the notice that I gave on January 23, I offer the resolutions which I send to the desk and ask for their adoption.

The PRESIDING OFFICER. The Secretary will read the resolutions submitted by the Senator from West Virginia.

The resolutions (S. Res. 346) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. STEPHEN B. ELKINS, late a Senator from the State of West Virginia.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased Senator.

Mr. SCOTT. Mr. President, to-day the Senate pays its last tribute of respect to the memory of my late colleague, STEPHEN BENTON ELKINS. Words of praise spoken here fall short of being adequate to measure our affection for the one who has passed on or the loss his countrymen feel, for a mighty man has passed away; a great leader is no longer with us; a tall cedar has fallen. While our lips pay him this acknowledgment of remembrance, we know that his deeds live after him and that he can not soon be forgotten.

Why does the Nation mourn? Why does the State of West Virginia feel that she has suffered a loss that can not be measured? Because a man wise in counsel, strong in action, a doer of great deeds, a builder up of wildernesses, a constructive man, a power in the market and in the forum, a lovable, genial companion, has passed from our mortal sight forever. It is to bear testimony to these qualities—the qualities which made the man—that we are here to-day. As his colleague and his friend, it becomes my duty to try to give some estimate of the man and his worth to our Nation, as well as to the State he so faithfully represented.

Perhaps no Member of the United States Senate was more widely known and respected than he. The qualities which make up American manhood were found to the full in him, for the qualities which tend to the upbuilding of a republic found him a channel through which to act. His upbringing was similar to that of thousands of young Americans. Reared on a farm in Ohio, his thirst for education took him through college at the head of his class, and the spirit which has built up first the eastern and then the western sections of our great Republic started him on his career. The great war between the States was on, and notwithstanding the fact that his father and family felt it their duty to cast their sympathy with the Confederate States Mr. ELKINS was forced by his convictions to cast his lot with the Union. A short but creditable

career in the Army found him at the end of that great conflict on the threshold of manhood—the future all before him. The Middle West being settled, the golden Southwest tempted him, and New Mexico became his home.

Determined to succeed in his chosen profession, the law, he found it necessary, on taking up his residence in New Mexico, to learn the Spanish language. Just starting his career in a strange land this fact did not daunt him, and in less than a year he possessed a fluency in this tongue which aided materially in advancing his influence and popularity. Though a success in the law, yet political life was to him alluring. The close contact with men who were doing things, who were leading, was most enticing, and it is not strange that he was soon a member of the Territorial legislature and commenced that political career which was to be so full and complete. In a few years he was made attorney general of the Territory; two years afterwards United States district attorney, and a few years afterwards he was chosen to Congress, where he served two terms in the House of Representatives, and made a name and a reputation for himself. Even in the early seventies, while a member of the House, he introduced a bill for the statehood of New Mexico, which passed the House by over a two-thirds vote, passed the Senate with an amendment, and only failed to become a law because of lack of time to take it up again in the House. During these years of the practice of his profession and his first introduction into politics he did not, however, lose sight of the business opportunities which presented themselves. So successful was he along these lines that at the expiration of his term in Congress he was able to commence the great work of development which associated him with the State of West Virginia, and led eventually to his becoming a power in the business as well as in the councils of the Nation.

At that time the great riches of the State which he so long represented in the upper branch of Congress were but little known to the outside world. It is true that stories almost as fantastic as fairy dreams were told of the great wealth lying undeveloped in the hills of West Virginia. A large portion of the State was almost a wilderness, traversed only by a few country roads and sparsely inhabited by a home-loving, liberty-seeking people. To develop this wilderness required capital, energy, and business enterprise of no mean degree. To this task Mr. ELKINS, in company with his distinguished father-in-law, ex-Senator Henry G. Davis, a most noted citizen of our State, dedicated his life. The result in the years that followed more than justified his judgment. The wilderness was made to bloom and blossom; railroads were built, mines were opened up, towns were erected, and nowhere in this broad land of ours can happier, more contented, more enterprising communities be found than among these mountains and hills which he helped to bring in touch with civilization. Following the line of his railroads came schoolhouses, churches, and colleges, and to-day located within the confines of the once wilderness are an educated and God-fearing people.

I first met Mr. ELKINS in the campaign of 1884, when he was striving to have James G. Blaine elected President of the United States. He was then, as I have always known him since, an aggressive, energetic, wide-awake, alert man, and was much interested in the election of Mr. Blaine. They were warm personal friends and had been associated in business. It was a great disappointment to Mr. ELKINS when it was finally decided that Mr. Blaine was defeated. Smilingly he accepted the result, but he always held that several thousand votes in New York should have been counted for him which were counted for another candidate. This election ended Mr. ELKINS's active participation in politics until he became thoroughly a citizen of West Virginia and commenced to help build up in our State the Republican Party, in whose principles he thoroughly believed.

In the year 1888 I was again thrown closely with him in the nomination and election of Mr. Harrison. Mr. ELKINS, with the assistance of several other prominent politicians and friends of Mr. Harrison, perhaps did more to give him the nomination than any other man in the United States. From this period on my personal acquaintance with Mr. ELKINS became closer and closer, and as the years went by I esteemed more highly his friendship. During these years he was a power in West Virginia. His genial, sunny disposition made him friends on every side. His poise of mind, his great intellect, helped him to hold his friends, made him a leader of leaders and eventually led in 1894, when West Virginia became Republican for the first time in almost a generation, to his being the Republican candidate for United States Senator. The legislature selected him and Mr. ELKINS then became the first Republican Member of the United States Senate in many years from the so-called solid South.

The history of these years, leading up to his election and reelection to the Senate, is a part of the history of the development and wealth of our Nation, and especially of our State. It is impossible to attempt, even in the briefest manner, to estimate the influence of Mr. ELKINS without referring to the material development of the large section of country in which he was interested. He was a great captain of industry, and as such became known and respected everywhere. To him and his associates is due directly the building of four railroad lines through different sections of West Virginia—lines that total about 500 miles and are now feeders to great through systems. When one remembers that these roads were built over mountains, across deep ravines, through an undeveloped and virgin country, it can readily be seen that great judgment was necessary and a great faculty for the management and control of men. These faculties he possessed to a high degree and they bound him to the laboring man, the merchant, and the capitalist. He always endeavored to establish confidence and harmony between employer and employee and personally his political enemies loved him as much as his political friends. The improvements to the rivers of West Virginia have been largely due to his influence; changes in railroads stand to his farsightedness, and there has been no material advancement of far-reaching importance in our mountain State for the past 25 years in which he has not had a part. A thriving city on the top of one of the Allegheny Mountains bears his name; a college directly honors his memory, and from the north to the south and the east to the west of our State his memory is closely bound in achievements of all kinds.

Politically, Mr. ELKINS was a Republican. He believed in the principles of that party. He studied with the eye of a student the progress of the protective principle; he saw that it built up and did not destroy; that it was constructive and not destructive; that it made happier the poor man and gave him greater advantages; and to the development of this principle he devoted his time and his energy. He believed in progress and did his best to bring to the markets of the world the undeveloped wealth of one State. He believed that the principles of the party to which he belonged aided in his doing this and he was broad enough to stand for its extension to every other State of the Union. He believed this party right, and he fearlessly stood for what he thought was true.

The career of Mr. ELKINS was laid in troublesome times. With him it was a struggle, a fight, from beginning to end. Struggling for an education, taking part in the great Civil War, conquering a foreign language, wresting supremacy from the hands of nature, fighting for political principles that he thought right—these occupied his attention to the end. But Mr. ELKINS was constituted to enjoy these struggles, in the larger sense, and to him the overcoming of a difficulty was a pleasure and a pride. In the latter years of his life his wonderful personality, his commanding genius, his whole-souled geniality served him in the contests with his political foes without and within his own party. Perhaps one of the deepest regrets of his life was the fact that he was unable to take an active part in the late campaign in our own State. Smiling, he fought until he could fight no more.

Mr. ELKINS was a scholar, and in his books he found rest from the strife of the outside world. He loved his classics, and his Latin or Greek he could read with ease at any time. A great student of the Bible, he found solace and comfort there. Full of humor, he could find something to smile at most anywhere and was ready and apt with quotation or simile.

As an illustration both of his love of books and his power of comparison, I may be permitted to relate an anecdote. During one of our heated party fights, after a State convention which bade fair to split in two our party and over which he had presided, at a great expense of vital force, he returned to his home at Elkins. For several weeks the opposing press and some of the papers of his own political faith bitterly upbraided him for his rulings in the convention, for his "bossism," and for the ruination he was bringing on his party. After these vituperations had traveled from one end of the State to the other, a visitor to his hospitable home found him sitting in his library reading and smiling. In answer to an inquiry, he turned to his visitor and said:

I have been comforting myself reading the Book of Job; but I don't think Job was in it with me.

His career in the Senate is well known. In his early service, assigned to important committees, he became a painstaking student of all legislative questions coming before this body. With a well-stored mind, a fund of information seldom excelled, he was a ready debater, and gradually won his way to the front. After 16 years of service in this body he was the peer of anyone, unexcelled by none.

Important legislation bears his name. His influence was felt in all directions. Sure of his position, he could meet with a smile the attacks of those who differed from him on matters at issue, but never lost himself. It was largely due to his geniality, his grasp of details, his power of comprehension, his unfailing courtesy, that the great railroad measure which passed this body at the last session became a law. As a legislator none in this body will say me nay when I cry that a great man in the councils of the United States Senate has gone from us.

That such a character should attract to it other great natures was inevitable. So it is not strange that Mr. ELKINS numbered among his warm and personal friends some of the greatest names in the history of our country in the last half of the nineteenth century. Stretching from the time of Lincoln to that of Taft, what an opportunity was his of thoroughly enjoying the friendship of the men who have been shaping the financial and political destinies of our country. Intimately associated with Mr. Blaine, he undoubtedly would have occupied a prominent position in the latter's political family had he become President of the United States. His close friendship to Mr. Harrison led to his selection by that President as Secretary of War, and in this important position his constructive genius had full sway and its effects are still felt. Connected by business ties with the greatest financiers of our age, he possessed their personal esteem and confidence. A Presbyterian in religious convictions, he could yet enjoy the close friendship of the cardinal of the Church of Rome. Intensely American in every fiber of his nature, he was on loving terms of friendship with the distinguished men of foreign nations who have represented their Governments at this capital for the past quarter of a century. To his competitors along business lines he was courteous and friendly, and he numbered among his close followers and friends in his own State all of his largest business opponents. To the humblest West Virginian he was always accessible and greeted him with the same kindly interest with which he met a diplomat, a prelate of the church, or a great financier.

It is no wonder, then, that around his bier stood men whose names will live in history; that loving tributes to his memory and to his kindly heart came from all around the world. It is no wonder that the newspapers of this broad land of ours, those impartial judges of men, carried to all Americans the news of his passing on and their judgment of his work and worth. It is no wonder that in his own State, from every town and hamlet, from every city, expressions of regret and affection came pouring in, and our large dailies were filled with such utterances almost to the exclusion of all other matter. It is no wonder that on that bright January day, when his mortal remains were lowered to rest in a beautiful cemetery in the city he founded, the Army flag flew at half-mast nearly all around the world, that his home city was one sorrowing community, that his State paid its tribute of respect and the Nation its word of farewell. It is no wonder that the governor of our State later appointed his son as his successor in the Senate, a closing tribute to the love and respect borne Mr. ELKINS.

Born September 26, 1841, he passed from our sight January 4, 1911. The wonder is that so much could have been crowded into a life of less than 70 years—farmer's boy, soldier, lawyer, legislator, Member of Congress, Cabinet officer, United States Senator, and a great captain of industry.

Life's struggle over, his mortal remains rest forever on the West Virginia hills, whitened by the snow of winter and carpeted by the flowers of spring. But he still lives in his great works, his kindness of heart, his purity of character, and his love for his country and his fellow man. Not soon will he be forgotten.

Mr. GALLINGER. Mr. President, it was my privilege to serve for nearly 17 years in this body with the late Senator from West Virginia, whose death we all keenly deplore, and whose splendid achievements, in public and private life, will serve as an inspiration to those of us who knew and admired him. Service with him on three of the important committees of the Senate—Appropriations, Commerce, and Printing—covering a long period of years, gave me unusual opportunities to become acquainted with the qualities of heart and mind of Senator ELKINS. His remarkable career, from boyhood days to the zenith of his power and influence, has been graphically told by the Senator from West Virginia [Mr. SCOTT]. For me it is sufficient to offer a simple tribute of affection to his memory.

It is safe to say that few men have served in the Senate who have been more popular or universally esteemed than Senator ELKINS. The morning after his death, in the course of an appreciative review of his life, the Washington Post truthfully said:

He was a man who made friends on every hand, who drew and held them to him, regardless of political affiliation, religious creed, or racial characteristics. Of him it may be said he was without an enemy. He was the apostle of sunshine, the embodiment of good cheer, the inveterate foe of pessimism, a supreme optimist, who saw only the best in everyone and refused to believe that which was not good. It was impossible for him to harbor a grudge, and if ever this sincere and big-hearted man gave offense in the heat of debate or political discussion, he was quick to retract and heal the wound before it began to hurt.

What higher tribute could be paid to any man than that? The man who makes and holds friends, whose very presence dispels gloom, and whose cheery smile and warm handclasp make his associates forget the little animosities, trials, and burdens of life; such a man is an evangel of peace and love and happiness, and such a man was our late associate.

Senator ELKINS was not an orator, but he possessed powers infinitely more potent than that of oratory. He was an indefatigable worker, and knew the art of approaching and dealing with men. He carried through the Senate measures of great importance to the American people, and in the stirring debates over the bills that he had in charge the success he achieved was largely due to his imperturbable good nature, his courteous treatment of his opponents, and his dogged determination to accomplish results. In the statutes of his country are written monuments of his broad-mindedness, his intense patriotism, his devotion to the public weal, and his independence of thought and action. He was an honest and successful legislator, a shrewd politician, and a high-minded public servant, whose record will grow brighter and brighter as the years come and go.

Mr. President, what more need be said? In my 20 years' service here death has invaded the senatorial circle many, many times. Four honored Senators alone remain of those who greeted me when I entered this Chamber. The list of those who have departed is a long and honorable one. Memory recalls the names, and tender thoughts touch the heart as we summon them before us. But they are gone, and we remain a little longer, to bear the burdens and the cares from which they have escaped. Among them all there was no more genial and lovable soul than the late Senator from West Virginia. He was so strong, so full of energy, and so hopeful for the future that his death came to us all as a peculiar shock. When he left the Senate, a notable figure passed from our view. His seat here is vacant, but his memory will be cherished and his virtues remembered by those of us who admired his character and valued his friendship. In the death of Senator ELKINS this body, the State that honored him, and the Nation which he served so well have sustained an irreparable loss.

Mr. DEPEW. Mr. President, at no time in its history has death in so short a period removed from the Senate so many of its Members. DANIEL of Virginia, ELKINS of West Virginia, DOLLIVER of Iowa, CLAY of Georgia, MCENERY of Louisiana, and HUGHES of Colorado, were among the most valued and distinguished Senators. Many of them had been long in the public service and won national reputations. In their careers, activities, and characteristics they represented distinct types of American citizenship.

I might select for comparison ELKINS, DANIEL, and DOLLIVER. Senator DANIEL was almost the last of that line of southern orators whose fervid eloquence and glowing rhetoric made famous the forum and the platform before the Civil War. He had lofty ideals of government and civic duty. He had an intense pride in the greatness and glory of the country, and drew inspiration from the past for guidance in the present. The wonderful material developments since the Civil War, the increase in national, and especially in individual, wealth did not appeal to him. He never possessed either greed for gain or lust for fortune. He was an idealist of a rare type, whose great gifts were devoted to the realization of those ideals in the preservation of the constitutional limitations of the powers of the Federal and the State Governments, and to bringing back the people to what he regarded as the purer and higher life of the fathers of the Republic. A chivalric figure both on the battle field and in the Senate, he brought the knightly virtues of a romantic age to the solution of the prosaic problems of the day. Senator DOLLIVER, on the other hand, was intensely modern. From the parsonage of his father, in which he received his early training, he carried into public life the spirit of the missionary. He was possessed of a rare faculty for oratory, and equally brilliant in argument, appeal, ridicule, and humor. He came while young into public life and from a constituency which promised a long continuance in the public service.

He never, was in contact with and cared little for the wonderful opportunities for men of masterful genius in affairs which have created the phenomenal fortunes of the past 40 years. He was essentially a tribune of the people. His mind was absorbed in the solution of the economic problems of protection and revenue in a way which, according to his faith,

would add to the wealth of the Republic and the individual prosperity of every citizen. He studied the movements of the markets with the sole purpose of originating and promoting such legislation as would keep our places of trade and barter as far as possible for the benefit of the producers and workers of the United States. He also believed in such use of the prestige, power, and diplomacy of the country as would win an open door for our surplus in competition with the great manufacturing nations of the world into the Orient and Africa. He died, as he had lived, on his chosen battlefield, using all his powers and exhausting his energy and vitality for ideas which he believed would eventuate in policies and measures for the best interests of the people. The chivalric knight from Virginia and the modern soldier from Iowa filled large and useful places in our political economy and have left few successors.

Senator ELKINS presented an entirely different and equally useful type of American citizenship and activity in public life. He was preeminently the business man in politics in its best sense. He was a pioneer and a promoter. He could turn the wilderness into productive possibilities which would attract and support masses of people. He could project and construct railroads for the development of the mine and the forest, and won for himself by his genius for affairs an enormous fortune. Yet as a Senator he brought the invaluable aid of his experience, his business acumen, and his knowledge of affairs to legislation which was for the protection of the people against the misuse of millions and the creation or the existence of monopoly.

A contemplation of the lives of these three statesmen presents a vivid picture of varying conditions in the forty-eight Commonwealths which constitute our Federal Union. In many of the States there has been cultivated a hostility to corporations and wealth which builds bars of insuperable height and strength against any man, no matter how gifted, who has made a success in corporate management or accumulated a fortune in active business, becoming a representative of the people in public office. Such communities believe they are best served by theorists and idealists. They accept with eagerness and enthusiasm the various panaceas which are so skillfully manufactured and so attractively presented for the cure of the ills of the body politic. But West Virginia and other States similarly situated present a remarkable contrast. Limitless wealth and opportunities for employment and the accumulation of a competence lie in the mines in her mountains and valleys, and her primeval forests. Instead of locking up her boundless resources she welcomes capital and capitalists who will open her mines, build her villages, enlarge her cities, improve her water powers, and construct her railroads. Ever since her organization as a State she has sent to both Houses of Congress the men who were doing this work in her behalf, while they were accumulating, or had accumulated, large fortunes by their efforts. Her people recognized that every mine opened meant more families supported and more opportunities for the youth, and every railroad built or extended meant the wilderness converted into boundless opportunities for development, for population, and for prosperity. She believed that the men whose genius, energy, experience, and money were accomplishing these results could best secure for her the legislation which would redound to the progress of the State and the benefit of its people. Senator ELKINS was easily the leader among these bold and adventurous spirits who dare risk their all, because they know if they live success is certain to crown their efforts.

ELKINS, the legislator, though a railroad promoter and owner, saw the necessity, for the protection of the people and of investors, of a large measure of Government control over railroad corporations. As the head of the great Committee of Interstate Commerce he had charge of the measures which have accomplished so much in the preceding administration and the present one to remove the railway from politics, to reform and punish abuses, to give shippers and the traveling public a tribunal with power for instantaneous redress, and to secure stability to business and credit by the largest measure of Government activity in railway affairs. The antirebate bill, which goes by the Senator's name, was his own creation. By supervision and penalties he prohibited discriminations in favor of individuals or communities and compelled these great corporations to treat all alike. So the railway rate bill of the Roosevelt administration and the railroad bill of the Taft administration, distinct advances in the line of wise corporate control, greater than had been accomplished since the first locomotive was placed upon the rails 81 years ago, passed through his formative hands as the chairman of the committee that had them in charge and were conducted by his skill and genius as a parliamentarian in their passage through the Senate.

A young American who has finished his college course and continued his law studies until admitted to the bar has the world before him. It is the critical initial period which tests the fiber of his being. He may settle down in his native village or take the more perilous plan of entering the contest in a large city or move to new territory to grow up with the country. His choice and the few years following it indicate his future and fix his career. In 1864 New Mexico was as distant, almost, as Japan now is and as little known in the States. The Spanish adventurer Coronado had conquered the Indians and settled it with his followers 70 years before the Pilgrim Fathers landed on Plymouth Rock.

The Territory had been in 1864 only 14 years annexed to the United States, and its population was still overwhelmingly Spanish. The conservatism of the people is best illustrated by the fact that the first rail was not laid down in the Territory until 1878. Young ELKINS, looking around for the best field for a career, selected this distant Territory. His magnetism, his charm, his resistless energy, and the fact that within a year he had acquired the Spanish language, captured the imagination and confidence of these Latins, who had met no one like him in the over 200 years of their settlement. They sent him to the legislature and elected him twice to Congress. In the House of Representatives he came in contact with the brilliant men who were Members of that body in the Forty-third and Forty-fourth Congresses. With his alert and receptive mind, with his rare faculty of soon gaining an intimacy with strong characters, he speedily absorbed an intimate knowledge of the resources and business opportunities of the different sections of the country. He recognized early the fortunes there were in the acquisition of coal lands, if they could be reached and developed by cheap transportation. He saw that the future for him was not in the slow-moving life of New Mexico, but in bringing into the channels of trade the treasures which had been accumulating for ages beneath the soil of West Virginia. I remember how, in the early years of his life in West Virginia, I used to meet him often in New York trying to inspire men of means with his own confidence and enthusiasm in the resources of his State. Always hopeful, perennially optimistic, neither indifference nor incredulity nor rebuffs could discourage or dishearten him. He brought into the countingrooms of finance the fresh and invigorating atmosphere of his mountain home. By his earnestness, his indefatigable industry, his wonderful ability to win the hardest-headed to his faith, he advanced by many years the progress and development of his State.

Few versatile men are successful. Concentration is the secret of power, but nature endows some highly gifted with the ability to concentrate with equal success in many lines. Senator ELKINS was one of these fortunate individuals. Notwithstanding the cares and anxieties which attend the initial processes of the development of nature's resources, he found leisure to be for twelve years one of the most active and influential members of the Republican national committee. We of the older generation know the trust which was reposed in him by his fellow members and the extent to which the greatest responsibilities were placed upon his shoulders. I never shall forget a dramatic scene between him and the Republican candidate for President, James G. Blaine. It was just after the famous meeting of the presidential candidate with a thousand Protestant ministers when three words uttered by their spokesman ended the most hopeful of canvasses and changed the course of American history. Mr. ELKINS was responsible for bringing about this meeting, which was all right in its conception and intended to remove the prejudice which had grown up among Protestants because of Mr. Blaine's family relationship to the Catholic Church. Of course, no one could foresee that the preacher, who was also the spokesman, had a formula which he had used a hundred times successfully from the pulpit, but which when it became a part of the literature on one side of political controversy proved a can of dynamite for the cause it was uttered to promote. No one saw the disastrous effects of coupling together rum, romanism, and rebellion more clearly than did Mr. Blaine. He was naturally for a while not only indignant, but unreasonable, and yet, when he saw how deeply affected was Mr. ELKINS, Blaine put his arm around ELKINS's neck and said in that tone of tenderness which captured and bound to him thousands, "Steve, it was planned for the best and no one could have foreseen what has occurred."

The few who witnessed the incident knew what a load it lifted from the heart of the one and how deep and abiding was the affection of each for the other.

I had an illustration of Senator ELKINS's methods of accomplishing results. After his second nomination and the retirement of Mr. Blaine from the Cabinet, President Harrison tendered to me the position of Secretary of State. I told him

I could not take it because, as president of the greatest railway system in the country, it would inject in the then inflamed condition of the public mind on railway questions an unnecessary issue into the canvass, which had four months to run before the election. The President did not think so, and sent Mr. ELKINS, then Secretary of War, to persuade me. He did not argue with me, but said, "Come, let's take a walk," and he led me over to the State Department and then pointed to the portraits of those who had occupied that great place, among them Thomas Jefferson, John Marshall, James Madison, James Monroe, John Quincy Adams, Henry Clay, Martin Van Buren, Daniel Webster, John C. Calhoun, Edward Everett, and William H. Seward, and said:

There is a list far more eminent and distinguished than the Presidents of the United States. To have your picture hung in that line is fame.

To Senator ELKINS was granted a rare equability of temper and equilibrium of mind. He was an earnest partisan and stated his views on all public questions with the vigor of profound conviction, but he never uttered a word which injured anyone's feelings or left a sting behind. When partisan rancor was most bitter and passions intense he was equally welcome with every faction of his own party and of the opposition.

Senator ELKINS was a big man physically, mentally, and sympathetically. Successful men have had experiences, with temporary setbacks, discouraging failures, or faithless friends and implacable enemies. Their experiences harden them against appeals from suffering humanity. But for the Senator these trials broadened his charity. He was remarkably free from enmities and animosities. To forgive and forget were his nature and policy. He was first beside friends in sorrow or sickness, and his affectionate interest and bracing vitality were of infinite help and comfort. If the trouble was financial, instead of avoiding the unfortunate, which is the common way, he would drop his own great affairs to take up those of his friend. If the enterprise was sound and required more pecuniary assistance to tide over the depression of a panic or a mistaken calculation, his sagacity and money would change the situation from impending bankruptcy to prosperity. Though not an orator, yet in debate upon the purely material propositions, which constitute most of our legislation, his common sense, practical experience, and lucidity made him a dangerous adversary and persuasive advocate. The memory of this happy, healthy, helpful figure in our public life will long linger among the best traditions of the Senate. West Virginia is destined to become one of the most prosperous of our industrial Commonwealths. As the State grows because of the development of its exhaustless natural resources, so will the fame of one of its greatest State builders, STEPHEN B. ELKINS.

Mr. BAILEY. Mr. President, when I entered the Senate I enjoyed but a slight acquaintance with the late Senator from West Virginia, Mr. ELKINS, but even that had brought me to appreciate those qualities which made and kept him easily the best-beloved Member of this body; and when one afternoon, soon after I had assumed my duties here, he crossed the aisle and proposed a permanent pair with me, I readily and cheerfully consented to that arrangement. Our relation, thus established, brought us frequently into contact, and Senators will understand all the better what that contact meant when he volunteered to say that if in his absence at any time I felt that my duty to my people or the suitable care of my own political fortunes required me to vote, I was at liberty to do so, even though it left him without a pair.

Our friendship, beginning almost when my term in the Senate began, was not only a source of constant and uninterrupted pleasure to me, but it was often used by my other friends to their good advantage, for it became a common practice with those who knew how much I loved him to seek my intercession with him. When the river and harbor bills were pending Members of the other House, not from my own State alone, but from other States, often appealed to me to interview Senator ELKINS in behalf of projects which deeply interested them, and many was the time I have taken anxious Members of the House to him in order that they might state their own case.

In all of those incidents not once did that Senator ever exhibit an impatience or appear indifferent to the request of a Member whose name perhaps he had not known until I had introduced him and in whose State he could not possibly have felt any local interest. Not only was he generous and obliging to men from all sections, but he was especially so to men of the section from which I came. He was the best friend the Southern States have ever possessed in this Chamber since I have been a Member of the Senate, and in making that statement I do not even except Senators from the South themselves. No

Senator from any Southern State ever invoked the friendly offices of Senator ELKINS in vain, and he sometimes aided us in works which we believed right and proper though our colleagues from other Southern States could not agree with us. Not only in those great works of internal improvement, but on every other question which touched the honor or the interest of the South he was our steadfast and our unswerving friend.

He had so impressed me with his peculiar interest in our States and in our section that one day, half in jest and half in earnestness, I said to him, "You are better to us than we are to ourselves, for you will help us whether we are right or wrong." He looked at me with that unfailing good nature which so won the hearts of all who came in contact with him, and he said, "My dear boy, to me the southern people are never wrong." And then, as if that needed to be qualified, he added, "They were wrong once, I suppose, when they tried to dissolve the Union, but that is the only mistake they have ever made, and I never expect to think that they have made another."

Other Senators on this side, who often appealed, as we were compelled to appeal, because we were in the minority here, to his great influence with his colleagues on the other side, appreciated his services no less than I do.

Mr. President, there have been many who have served in this great assembly who were loved and trusted by all their colleagues; there are Senators here now loved and trusted without measure and without question; and yet, without invidious distinction, I believe I may safely say that not one of us who are still here, and not one of those who have gone before us, was as universally loved and trusted as he was. And if I sought a reason for a fact like that I would find it in the other fact, that he loved and trusted us, and thus he warranted us in loving and trusting him.

He was of that nature that, intending no evil himself, was not swift to impute evil motives to other men, and though he passed through that calumny which all successful men encounter, it left no stain upon his name and it left no scar upon his heart. I have seen him when they were misrepresenting his purposes, and when they were challenging his patriotism put such suggestions aside as strong men would the challenges of children, and he was often charitable enough to believe that the men who unjustly aspersed him were honestly mistaken. I almost envied him that virtue. I never envied him his fortune, magnificent as they say it was; I never envied him his station, because perhaps my own was not less than his; I never envied him his friends, though they were manifold more numerous than mine; I never envied him any of the great and varied success which fate or his own exertion had won for him; but sometimes I did almost feel weak enough to envy him his good nature. To those of us who have a bitterness easily aroused by ungenerous treatment, it is almost incomprehensible how a man can be gentle and patient under criticism which he knows to be malicious and untruthful. To those of us who find it difficult to believe that honest men ever libel other men, it was a source of constant astonishment how this brave and upright man passed unheeded the things that would have deeply wounded others.

In all of my close and intimate association with him, Mr. President, I never saw him out of humor; and I heard the clergyman who officiated at his funeral say that he had never been known to lose his temper. Yet, sir, it must not be supposed that because he did not permit himself to fall into an ugly frame of mind he was one of those weak and vacillating natures who can not be otherwise than civil. He was that strange combination, sir, of which we have often heard but which we seldom see in this world, which unites a gentle nature with the firmest purpose. He would yield and he would compromise the honest differences which often divide men in this Chamber. He was by nature a pacificator; and he did not believe, as too many in high position do, that he was wholly right and those who differed from him were wholly wrong; but conceding to them as much of honesty and as much of wisdom as he claimed for himself, he met them and he sought to accomplish work, to achieve results by adjusting differences where differences could be honorably adjusted. But when he found that it was not a difference which they were seeking to adjust, when he found that men were striving to impose upon his good nature, he could reject all overtures and he could resist all selfish appeals as firmly as any man whom it has ever been my pleasure to know. Gentle, yielding to what he thought others believed was right, yet, sir, when he reached the limit he was as firm as the hills amongst which he sleeps in peace to-day.

When we adjourned the last session of this body and he passed out yonder door, he was a specimen of physical and intellectual manhood such as we seldom see. Full of hope, full of courage, and full of honors, it seemed so reasonable to

believe that he was likewise to become fuller yet of years. So robust, so eager, so devoted to all that is best in life, he was the last amongst all our colleagues upon whom we thought God would soon lay His hand. Stronger than any of us, in robust health, with much undone which he was eager yet to do, it did not seem, sir, that he was standing upon the verge of the grave, and that ere our duties called us back he would sink forever into its narrow bosom.

But, Mr. President, while we stand with uncovered heads and with tear-stained eyes about his open grave, we are not without our consolation, for it was his faith, embraced no matter how late in life, it was still the faith in which he died, that the grave is but the vestibule of a nobler, a better, and a more eternal life than that which he put off amidst our tears but without his fear. He has gone, but behind him in the records of this Nation he has left a monument more enduring than affectionate hands can build for him. Clothed with the confidence and affection of a brave and a free people, commissioned to speak in the highest assembly of the world as one of the representatives of a sovereign State, that would have been honor enough. But that is not all of the honor which belongs to him and to his career, for, sir, his name is inseparably connected with some of the most useful and some of the most far-reaching legislation ever written into the statute books of this Republic; and the memory of his service will endure as long as men read the history of the time in which he lived.

Mr. WATSON. Mr. President, the memory of STEPHEN BENTON ELKINS, for 16 years a distinguished Member of this body, will remain fresh and fragrant in the great State of West Virginia through many generations.

In the upbuilding and development of that splendid Commonwealth; in the progress and prosperity of its people; in the dignity and honor and standing it has achieved, he was a potent force—a fine, fearless figure that loomed dominant and large.

His name will be cherished in affectionate remembrance by our people, and his powerful and attractive personality missed and mourned for many years. In his death his State and this Senate has sustained a loss, the extent of which will be better realized as time passes.

The country as well as the community has suffered by the untimely taking away of this big and lovable man, who labored for the general welfare and whose clear conception of his public duties and comprehensive grasp of public questions marked him as a statesman of great force, wide influence, and tremendous achievement.

His distinguished and inspiring career, his early struggles, the brave battle with life he made and won, his political and professional triumphs have been eloquently and feelingly described by Senators who have preceded me. His success as a lawyer, a soldier, a student, a man of business and finance, and as a public servant have been graphically and truthfully described by men who were at once his colleagues and his devoted friends.

It is to STEPHEN BENTON ELKINS the man to whom I wish to pay tribute—the man whose genial and lovable nature, whose cheering smile and unchanging amiability attracted friends to him as the magnet draws the steel. His warm heart, his kindly nature bound to him those friends with bonds that were never broken, and now, that he is gone forever, his loss leaves them with a void that can not be filled. Time may diminish the pain they now feel, but the memory of his sunny disposition and the great kind heart of the man will be imperishable.

To those upon whom the blow falls hardest—the members of his immediate family—the sympathy of his State, of the Nation, and of the people whom he served goes out in full measure.

His was a full and useful life, crowded with honors and crowned with gratified ambitions; but absorbing as were his many interests and activities they were not allowed to diminish his love and devotion to those nearest and dearest to him, and it is in his home the keenest sorrow is felt and the burden is heaviest.

A sturdy oak has been uprooted. It will be a long while before one springs up to take the place of the towering tree that has fallen.

MEMORIAL ADDRESSES ON THE LATE SENATOR CHARLES J. HUGHES, JR.

Mr. GUGGENHEIM. Mr. President, pursuant to the notice I gave the Senate a few days ago, I submit the following resolutions and ask for their adoption.

The PRESIDING OFFICER. The Secretary will read the resolution submitted by the Senator from Colorado.

The resolutions (S. Res. 347) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. CHARLES J. HUGHES, JR., late a Senator from the State of Colorado.

Resolved, That as a mark of respect to the memory of the deceased Senator, the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased Senator.

Mr. GUGGENHEIM. Mr. President, it is with profound sorrow that I appear on this occasion, not alone on account of the individual loss to Colorado, sustained in the death of my late colleague, but also that the painful bereavements of this body during the sessions of the present Congress have been augmented by his departure.

CHARLES JAMES HUGHES, JR., was born in Kingston, Caldwell County, Mo., February 16, 1853, and died in Denver, Colo., January 11, 1911. Birth and death define the extremes of life, but it is the filling in of the years that counts—that really interpret life and its profound meaning.

In the early career of Senator HUGHES there were busy years of earnest preparation for life and its activities. In the home and school and in every situation during those formative years he brought to bear the faithful study and intense application which were the marked characteristics of his later life.

If heredity counted for anything, there was transmitted to him from a lawyer father and legal family affiliations a distinct call toward the profession of the law, and in choosing it he made no mistake.

Removing to Denver in 1879, he began a law practice which was immediately lucrative, and he was recognized as a safe, reliable counselor from the start. It was a time, too, when mining and irrigation laws then in vogue, and many of them formulated as exigencies required, were being tested to the uttermost. This situation appealed to the young attorney, who was never so much at home, never so profoundly absorbed in the elemental traits of his intellect, as when called to interpret the most difficult legal problems presented to him; and as he progressed in his practice he manifested his powers of persistence, his depth of learning, and his eloquent ability at the bar.

Never once was his honor and legal judgment doubted by his clients.

He was a great lawyer by intuitive processes as well as by deep and thorough study, and never so happy as when untangling intricate phases of the law in the courts and before classes of university students, in whom he always manifested great interest. He was recognized as a prodigious worker, and so well were his labors classified that the experts and clerks in his office found themselves in an atmosphere of industry, of research, and study that called forth the same qualities of application and effort that were so marked in him. Midnight and daylight found him at work, shirking no duty, and never requiring of others the labor he imposed upon himself.

The conservation interests of Colorado and the great West were studied by him from the foundation up, no feature for or against being hastily assumed, and when made clear and just to himself, then nothing could interfere with his emphatic declarations concerning them.

In politics he was an old-time Democrat, believing in his party and in the ability of the party to build itself into power and permanency from within and on the basis of distinguished precedence, rather than through the agency of numerous and complicated systems of expediency.

The tariff was studied by him in its closest details. For many years he had familiarized himself with great political problems, national and international, with the same deep study which he gave to every local problem affecting his own State of Colorado.

There had been a dream in his consciousness, an ideal toward which he walked, with fine appreciation of its large demands and thorough readiness for its realization—a place among "the seats of the mighty." He came to it steadily, studiously, and unwaveringly. And when he leaped into sudden fame in the United States Senate it was through the mastery of his splendid intellect and training.

But if he came as a surprise to this body, it was not a surprise to his own people. Colorado had taken measure of his mental stature and knew thoroughly his splendid equipment for the place. Proud of the quick recognition accorded him, there was still a larger fulfillment awaiting him.

It is unspeakably strange how a beautiful dream can be realized and how that dream can be so mysteriously shattered—the magnificent preparation to live becoming the magnificent preparation to die.

To the United States Senate this intricate, unsolvable problem has been brought with startling significance. Colorado

mourns the Nation's losses and mourns her own loss, and yet no one of us has seen the hand that opened the door for one and another of our honored membership when the silent call came for them to go. The State of Colorado mourns the death of her exalted citizen. She watched with profit, as well as pleasure, the daily growing of a gifted mind, from promise to fruition; from the beginning of a career, marked by ceaseless effort, devotion to study, and loyalty to principle, to the time when the rich experience of such a life has been garnered with distinguished results. The highest place is none too high for such a life. This was predicated of CHARLES J. HUGHES, Jr., for many years. He idolized his profession. It yielded its secrets to him, keeping nothing back. He venerated the principles of right and justice as embodied in the law and in the Constitution of the United States. Ceaseless and difficult mental work requires almost herculean physical strength. Those who knew him best in Colorado welcomed for him a change of scene and application, hoping he would, as a duty he owed to himself and family, take his new obligations less laboriously and give a personal and justifiable interest to the conservation of his own physical resources, looking to a complete restoration of his health, that he might render larger services to his State and Nation in the future. But the habits of a lifetime, with a restless brain and burning desire to accomplish what he had in view, in his enlarged horizon, were not to be thrust aside.

Senator HUGHES worked as if he wrought for eternity and could not understand human and time limits as applied to his own physical constitution and welfare. Work was his life, and the fierce problems that were slaying his colleagues all about him seemed to be but voices demanding increased energy from him, even when he knew, and those nearest him knew, that he was encroaching upon the reserve forces of his being.

Colorado has lost a distinguished citizen. He died young, if we count it by years; if by achievement, his was a long life, compact with purpose, effort, and realization.

The Nation has lost a leader, a safe guide, a statesman.

The lines of the poet Tennyson, it seems to me, fittingly exemplify his life:

For can I doubt, who knew thee keen
In intellect, with force and skill
To strive, to fashion, to fulfill—
I doubt not what thou wouldst have been:

A life in civic action warm,
A soul on highest mission sent,
A potent voice of Parliament,
A pillar steadfast in the storm.

Mr. STONE. Mr. President, I have been asked to speak a word of tribute to the memory of CHARLES JAMES HUGHES, Jr. My acquaintance with him dates as far back, perhaps, as 20 years; but, while I came to know him well, I never knew him intimately. Our meetings were too seldom and our association too casual to admit of intimacy. That he was born and reared in Missouri; that he was educated in that State and there began his career, were the circumstances that first attracted him to me. Later, and as I came to know him better, I was attracted by his great personal qualities. While yet a young man, and at the very beginning of his professional activities, he moved to Colorado and located at Denver, the capital and metropolis of the Centennial State. There for more than 30 years he lived and wrought. His environment gave tone and color to his thought, and all the wondrous things about him spurred his ambition and added zest to his work. There was to him a charm and inspiration in the great, towering mountains that stood as a majestic background to his home. Who has ever been in Denver and watched the red sun fall behind the high-lifted hills which rise just beyond the city's gilded spires, who did not feel profoundly impressed by the wonderful beauty and semisolemnity of the scene? To any man of refined intellectuality and with sentiment enough to respond to nature's wooing there is always to be found in rugged mountain scenery an influence both impressive and ennobling. Winged spirits dwell on mountain heights, and from the crest of lofty peaks inspiring voices call. These spirits stir high-minded men with the fire and passion of great ambitions and these voices call from on high to human souls to climb. With these spirits young HUGHES held companionship and to these voices he gave instant and joyous answer. He became a climber and also perforce became the architect of his own fortune. A brave heart and a strong, normal mentality constituted his first capital. With these he constructed his life work, and we know that he builded wisely and well. Harkening to the call that came down to him from above, he was always climbing, climbing higher, ever higher. With character foundations deep-laid and solid and with moral fiber close-knit and strong, it is no wonder he knew that each year's finished work would stand the white heat of

any test; and it was only natural that this knowledge afforded him an ever-present encouragement to advance without fear, always striving for greater and better things. And what of his work—what did he accomplish? Mr. President, when we behold a great life snuffed out by the tragedy of death, and when, looking backward, we seek to measure the worth of the stricken man, what takes first place in the sum of our estimate? There are three things—his individual character, his home life, and his conduct as a citizen—a trinity that might well be merged into one. These three things come first, and as to these the example set by Senator HUGHES is so conspicuous as to deserve universal admiration. I would not say that his daily life—his incoming and outgoing—was in all respects above criticism, for only one wholly blameless ever trod the earth; but I will say that the private life of Senator HUGHES was on lines so elevated and altogether so clean, sincere, and true as to afford little ground even to the most querulous for reproach. His body, impaired by affliction, was weak, but his character was rugged and strong. He could no more be moved from what he believed was right or moved to do what he believed was wrong than you or I could move the eternal mountains he loved so well. Mr. President, it has been well said that home life furnishes the finest test of those high qualities which make up a thorough gentleman. Senator HUGHES's home life, characterized by refinement and gentle courtesy, was ideal. Above his hearthstone love was regnant and with soft hand wielded there his royal scepter, bringing all hearts under the sweet influences of his sway. This home life of Senator HUGHES illustrated in a beautiful way the simple life of all cultured American gentlemen.

Mr. President, it was almost impossible that a man so constituted and trained as this dead Senator could have been other than a model citizen. He was a model citizen. In every work intended to promote the welfare of his city or State he fully performed his part, never shrinking from the call of duty. If a man be brave, faithful, and honest; if he fills his home with sunshine and love; if he is kind to the poor, gentle to the afflicted, a good neighbor, and a loyal friend; if he is a leader in public enterprise and an exemplar of civic duty—if, in short, he embodies all these virtues in some large measure, then there is, indeed, "a combination and form where every god doth seem to set his seal to give the world assurance of a man." Senator HUGHES was of this type. It should be eulogy enough when that can be truthfully spoken of any man. But HUGHES also wrought in other ways, and did things the world calls great. He rose to high professional eminence. In the judicial forum—a forum wherein the best-trained gladiators clash—he ranked among the foremost. When I say that he was reckoned among the great lawyers of America I will not offend by adding that he was at the very head of the Colorado bar, a bar recognized as one of the ablest in the Union. Mr. President, I can not conceive of a more enviable distinction than that of being deservedly recognized as among the great lawyers of the country. How easy it would be for me to name a select company of immortals whose fame is chiefly associated with the law and courts of justice; and, laying down the burden of an arduous life, what greater honor could come to any man than to occupy a niche in the temple consecrated to that illustrious company?

While Senator HUGHES possessed great abilities remarkably well adapted to public work, he had but little experience in that service. This was of his own choosing, for more than once he was offered positions of the highest distinction in his State. He seemed wedded to the law and unwilling to worship at any shrine save the one sacred to that blind goddess in whose hand is held the even scales of justice. The office of Senator, to which he was elected two years ago, and which he filled at the date of his death, was the only public station of any moment he ever occupied. His service here, although lamentably brief, was so exceptionally distinguished as to give great promise of a brilliant future. No man ever rose with greater rapidity or on more substantial merit to a commanding place in this great assembly. He was not here beyond a single session until his forcefulness was recognized and his power felt. Still climbing, as he climbed when life was young and limb was lithe, he was here fast rising to a place of such well-deserved leadership that none could dispute it. The door of opportunity was opening to him for the performance of great services of signal value to his country. Oh, how pitiful that he should fall just as the sun began to shine with smiling face upon a great future for him! Mr. President, it is said that every cloud hath a silver lining. I believe there was never a regret so profound that there was not somewhere in the gloom a comforting spirit—no sorrow ever so acute and hopeless that some solacing thought did not creep in to soothe the anguish of the heart.

Missouri mourns for HUGHES, but finds a comforting pride in the thought that she gave this great son of hers to Colorado. Colorado mourns for HUGHES, but finds an uplifting solace in the thought that all his great qualities as citizen, lawyer, and statesman were matured within her borders and are a part of her heritage.

Here, Mr. President, I would close this imperfect tribute, except that in the circumstances of this hour I can not forbear digressing far enough to speak a kindly word or two of my old friend STEPHEN B. ELKINS. Although not born in Missouri that State was his home from early childhood to mature manhood. There was one striking bond of sympathy and affection between Senators ELKINS and HUGHES and myself. All of us were educated at the University of Missouri, and every university man knows how the heart clings to the old school and to everything and everybody connected with it. The university authorities had voted to confer the LL. D. degree upon Senator ELKINS, and it was expected that the ceremony would occur last June. But, as you know, his legislative duties at that time were so imperative and urgent that it was wholly impracticable for him to absent himself from Washington. I know this was a great disappointment to him, and he often spoke to me of the next university commencement, which he confidently expected to attend, and to which he looked forward with anticipations of a most pleasurable occasion. I had promised to be present and introduce him when the time came to confer his degree. I knew Senator ELKINS well, and held him in most affectionate esteem. Besides being a man of exceptional ability, energy, and force, he was one of the most lovable men I ever knew. When I parted from him at the close of Congress last summer I little dreamed it was the last time I would see the light of his kindly eye and feel the pressure of his hand. It is a sad disappointment to me that we shall not meet next summer, as we had planned, amid the familiar and classic environments of our old university.

Mr. President, Missouri has a right to participate in the obsequies of to-day, and to share with West Virginia and Colorado in paying tribute to the dead statesmen in whose memory these solemn ceremonies are held. I speak here in a dual capacity, for myself and for my State. In speaking for myself I speak as a friend who has suffered a grievous personal loss; in speaking for the State I speak as for a mother who, while weeping at the bier of her dead sons, feels her heart glow with honest pride that she gave such splendid types of American manhood to her sister States and to the world.

Mr. CLARK of Wyoming. Mr. President, for months past the grim and unrelenting archer has stood as sentinel in almost constant attendance upon the doors of this Chamber. His shafts have been thrown with swift, with frequent, and with deadly aim. He has spared neither locality, youth, age, nor activity in service—the North and the South, the East and the West have alike draped their desks in this Senate, and every section has been called upon to mourn its worthy sons. To-day Colorado is joined by her sister States in paying just tribute to the life and character and public services of one who had become bone of her bone and flesh of her flesh; one whose manhood had entered into her history and success, and whom she had honored with the highest political station that was hers to give.

CHARLES J. HUGHES, Jr., was, to all intents and purposes, a product of the mountain west; clean of purpose, direct of thought and of action, he was in the highest degree typical of that race of men who have carved sovereign States out of inhospitable wastes, and have stamped the hall mark of the highest American manhood upon our newer Commonwealths. Born in the Middle West, acquiring his education and profession under the conditions of moderate circumstances and the self-denials and self-helps characteristic of our best American life; with a mental equipment and a strength of character that was to carry him far ere "finis" should be inscribed upon his work, he early turned his eyes and thoughts to our everlasting hills and cast his hopes and his fortunes into the lap and life of the "Centennial State." A lawyer by nature and education, he there entered at once upon the active practice of his profession. His field of labor opened up for him new and unsettled branches of the law, where precedents were few and of little avail. Only in comparatively recent years has mining law become in any sense settled, and irrigation law is still of later date; in both of these important fields Senator HUGHES was a pioneer, and, at the last, a specialist. He delighted in wrestling with the new and untried problems, and to him, as much as to any other one man, is due the credit of working over the crude material at hand into a line of decisions along both branches that welds them into well-settled and logical law.

Not content with the ordinary work and results incident to the particular cases at hand, his lectures in the eastern law schools and universities marked him as authority of the highest class in these two most important specialties of the law; and, all in all, the bar of the entire West gladly gave him place among the really first-class lawyers of his time.

To those who knew him well his election as Senator brought the greatest satisfaction. He brought to the duties of that high office a personal character above reproach, a mind alert, keen, and courageous, and a modest self-confidence that itself insured a useful and successful career in this body. His services as a Senator were all too brief, but in the little time that he was here his energy, his faithfulness to his constituency, and the vigorous ease with which his trained mind grasped great public questions gave promise of a great and worthy service and emphasized the great loss the country sustains by his untimely end; and while his short term here precludes the possibility of the greatest legislative fame, those who knew him best, who enjoyed his close personal friendship, and correctly estimated his attainments know that had his life been spared he would have been of inestimable service to his country in these and the coming days of change and vicissitude in governmental problems, and would have written his name far up in the roll of those who in this great body have earned and received, and shall earn and receive, high honor and the thanks of a just and grateful people.

Senator HUGHES was a man who always had, in political as well as in other affairs, the courage of his convictions. A party man, he placed patriotism above party. A Democrat of the old school, he was ever jealous of the rights of his State and suspicious of all attempted Federal encroachment. He believed fully in the restrictions of the Constitution and in the theory that this is a government of law and not a government of men, and these views, honestly held and freely expressed at critical times and on all necessary occasions, endeared him in the highest degree to the people whose commission he bore. Colorado gave him much of honor, but more of confidence and love. He was one of those who made her what she is and who gave in the making to the fullest extent his talent, his energy, and his loyal service, and in the history of that Commonwealth among all the great names that shall shine along its pages by no means the least shall be that of CHARLES J. HUGHES, Jr.

Mr. WARREN. Mr. President—

Leaves have their time to fall,
And flowers to wither with the north wind's breath;
But thou! thou hast all seasons for thine own, O death!

How sadly true the history of this body for the Sixty-first Congress has shown this line of the poet. Reviewing this history we may well pause in our busy deliberations and give thought to the mutability of human life and human institutions. Many times death has come into our ranks during the period so far passed of the Sixty-first Congress and taken acquaintance or friend from us.

When we read the death roll of the session, what distinguished and loved forms are called to our thought and remembrance—Senators with whom we worked day after day, month after month, or year after year, in committee or on the floor of the Senate, some in friendly cooperation and some in friendly rivalry.

This is the long list of our distinguished colleagues who have been taken from us during this Congress:

MARTIN N. JOHNSON, October 21, 1909.

ANSELM J. McLAURIN, December 27, 1909.

SAMUEL D. McENERY, June 28, 1910.

JOHN W. DANIEL, June 29, 1910.

JONATHAN P. DOLLIVER, October 15, 1910.

ALEXANDER S. CLAY, November 13, 1910.

STEPHEN B. ELKINS, January 4, 1911.

CHARLES J. HUGHES, Jr., January 11, 1911.

Eight in all within less than 15 months.

To the memory of the last named it is my sad duty to join with other Senators in placing testimonials in our records to his recognized brilliant accomplishments and abilities.

The life story of CHARLES JAMES HUGHES, Jr., is one that tells of toil—hard, constant, unrelenting toil—with one predominating object in view, thorough mastery of the subject or task before him. When death claimed him he was young in years, but old in results. In the 58 years of his life he had accomplished much.

Briefly stated, this was his life: He was born in Kingston, Caldwell County, Mo., on February 16, 1853, the son of Charles James and Cerena C. Pollard Hughes. His ancestors were Kentucky pioneers who came from Virginia.

Senator HUGHES was a graduate of Richmond College (Mo.) in the class of 1871, and was a student of the University of Mis-

souri in 1872-73. He received a degree of doctor of laws from both the University of Missouri and the University of Denver. After his graduation he supplemented his collegiate education by studies in higher mathematics, languages, political economy, and sciences useful in his legal practice, including engineering, chemistry, geology, ore deposition, irrigation, and hydraulic engineering. He accumulated one of the most complete private libraries in the country bearing upon these and kindred subjects.

After being graduated from college he spent five years in teaching in the public schools and as a college professor. In September, 1874, he was married to Lucy S. Menefee, and in August, 1877, he began the practice of law, locating in Denver in 1879. As a lawyer he was successful from the beginning, his thorough study and preparation having given him a perfect equipment for practicing his profession.

He built up an extensive practice, not limited to any field or class of clients, and embracing all save criminal law, which he avoided whenever possible.

The ability of Charles J. Hughes as a lawyer was known throughout the business world of the West and East, for he was engaged in conducting much of the important litigation relating to mining, irrigation, and other questions arising out of the formative and constructive period in the history of a new country and new States. Few great mining or irrigation suits in the Middle West have been tried in which he was not a participant as leading counsel. He was successful in the decision of many of these suits in their final settlement before the Supreme Court of the United States, and he admittedly stood with those occupying the front rank in his profession.

Before his election to the United States Senate on January 20, 1909, Senator HUGHES held no political office save that of membership on the State board of capitol managers which had charge of building the Colorado State Capitol. Twice the nomination for governor of Colorado had been tendered him by the Democratic Party, but each time had been declined. He was on his party's ticket as a presidential elector for Colorado in 1888 when he with his party was defeated; he was elected a Democratic presidential elector from his State in 1900, and defeated for the same position in 1904. He was a delegate to the Democratic National Conventions of 1904 and 1908.

His election to the United States Senate in 1909 followed an indorsement of him by the State Democratic Convention in September, 1908.

Senator HUGHES throughout his career as a lawyer had high political ideals. He twice declined the nomination for the governorship of his State, for his gaze was fixed on what he thought a higher station in the political world. That this was so was shown in his speech of acceptance upon his election to the Senate, when he said:

When there comes to us, as there comes seldom and to so few, the realization of the loftiest dreams of our imagination, hope, and ambition, we find that the feeble words of our language, the faltering utterances of our tongues, can neither respond in thanks nor in promises.

Thus we see that in the struggle for preeminence and success in his profession, Senator HUGHES was hoping and dreaming that the future held in store for him a place in this body. And in the busy moments of his life work his recreation was study and research in philosophy, political economy, and history in order that when his time came, as he surely believed it would, he would be prepared to take his place among the old and trained Members of the Senate and be able to take creditable part in the proceedings without having to serve the apprenticeship which many believe incumbent upon them.

How wisely he builded we who heard him speak during his too brief service with us can testify. How efficient and practical he was as a working member of the committees to which he was assigned, those who were associated with him on these committees well know. He was both a power in debate and a useful committee worker, a combination, as we know, somewhat unusual.

But how brief the fruition of his hopes; how futile the years of preparation to do well his part in the work for which he dreamed. The activity of his mind was too great a tax upon the resisting powers of a not too strong physical organization, and the years of mental toil and strain told, with fatal effect, upon his bodily strength. Perhaps he had a premonition of this, for when he was elected to the Senate he said:

I hope to slacken the pace of work and effort I have held for years, and believe that in doing so I shall be able to render better service to the State and improve the quality of any professional labors I may perform.

After he came to the Senate he sought to slacken the pace as he had promised, but the old habit of incessant work clung

to him, and it was only when he was stricken in August last that he gave up his strong hold upon the activities of his duties. Too late he sought by resting from his labors to regain the strength wrested from him by the hard, unremitting toil of years. He went across the seas to Hawaii in the hope that absolute rest and freedom from the cares of office would bring relief, but without avail, and he returned to his home in Denver, where, surrounded by the members of his family, he passed to the Great Beyond on the morning of Wednesday, January 11 last.

Senator HUGHES was imbued with sterling patriotism. His creed was expressed in his acceptance of the senatorship in these words:

There can come no hour in the Nation's history when I may not pledge the support of the party which has honored me and my own, however weak, to the strengthening of the hands of our Government by whomsoever administered, in every just cause upon which it shall enter, to the defense of every righteous policy it may espouse, and to the vindication of its integrity and wisdom in the councils of the nations.

He was a strict party man and a consistent supporter of the political party to which he had belonged from his boyhood days. And yet he was willing to act independent of his party upon questions affecting the welfare of his adopted State, Colorado. In the long contest over tariff legislation he voted for what he believed would best promote the interests of Colorado and the Nation in the adjustment of tariff rates, sometimes in opposition to the general attitude of his party associates. It was in defense of this independence of action that he startled the Senate and attracted the attention of the country when he declared:

I know no master * * * I demand the right to be heard unchallenged, uncriticized, and undominated by any influence save my own judgment and my own political conscience.

It was that declaration of independence and the able manner in which he carried himself in debate with the most skilled opponents in the Senate that evoked the general prediction that he was the coming leader of his party, a prediction that many believe would have been realized had he been spared.

Senator HUGHES was a courteous gentleman, of high ideals, and rugged, almost stern, devotion to an absolute unswerving idea of the right. Beneath an appearance of reserve we who knew him well were aware that he was charitable and hospitable and kind-hearted—one who loved his family, his friends, and humanity.

In my personal intercourse with him I recall many instances of his courtesy and kindness of thought and heart and charity for those in want and distress. His deeds of charity and kindness were performed quietly and without parade or ostentation, and those who were the beneficiaries usually were the only ones who knew of them.

I am conscious that mere words are weak and inadequate to fittingly place in the records of this body a proper estimate of the worth of the late Senator from Colorado. But there is comfort in the thought that while my words fall short and will be forgotten, his life, though brief, was full and complete with the accomplishment of the work which came to his hand.

Words may fade from memory, but the good deeds of a great man live forever.

Mr. TAYLOR. Mr. President, less than two years ago a modest and unobtrusive man quietly walked into this Chamber and was sworn in as a United States Senator from Colorado. Peculiar interest was centered upon him because he was the successor of Henry M. Teller, one of the purest and most illustrious statesmen of our times.

But all doubt as to his worthiness to wear the mantle of that splendid Senator was dispelled when, at the very threshold of a career which was so soon to end, he distinguished himself, not only as a lawyer and an orator, but as a safe counselor in the affairs of the Nation.

For myself, I was drawn to this man from the beginning, for behind his armor of unpretensions I saw an intellectual gladiator.

I have left it to others better acquainted with his private character and previous public and professional accomplishments to recount them, for it had not been my privilege to know him intimately before his advent in the Senate.

But those who have heard or read his speeches here need not be told that his former life abounded in great achievements, for they gave ample proofs of a profound thinker and a mind stored with the riches of knowledge.

Those who heard him in his first effort in this body will never forget the brilliant revelation of his power and his unmistakable ability to sustain himself in debate with even the ablest men of the Republic.

He possessed the three leading elements of a statesman—a profound knowledge of the law, the power to square public measures to the principles of justice and truth, and the courage to do it. Senator HUGHES's addresses on the tariff, the public lands, the income tax, and the interstate-commerce measures established his reputation at once as a leader. But he had not long to serve his people; he had not long to give evidence of his learning and superb ability in our midst; he was not permitted to reach the summit of his glory. And yet he was among us long enough to convince every Senator, not only of his high purposes and lofty ideals, but of his unselfish loyalty to his friends and to his country.

He was a fighter; a fighter in the courtroom, a fighter in the arena of politics. His convictions were on the side of truth and honor, and he had the courage to battle for them to the last ditch. He belonged to that type of men who make nations great and who lead in the march of human progress. He was imbued with the same spirit which inspired our fathers to establish our free institutions and which sustains and directs the administration of the Government for the good of humanity and for its final and complete emancipation from oppression and wrong throughout the whole world.

In my mind there is no shadow of doubt that the wisdom which devised and builded our form of government was inspired from on high, for the men who wrought it, as great and pure as they were, could never have conceived it so perfectly and completely of themselves.

The most conclusive evidence of the wisdom of the plan of salvation is its comprehensive adaptability to all ages and all conditions everywhere. It never needs amendment. It was all-sufficient in the beginning and will be to the end.

And I say with all reverence, that the plan of the great Republic, conceived and written down by its founders, partakes of this same unfailing sufficiency and adapts itself to the ever-changing conditions of business and government and to the progress of the race.

Has not the influence of our institutions spread all over the earth? Is it not permeating all nations and lodging itself in the universal mind?

And in consequence of all this, are not old ideals and old forms of government fading away? Are not constitutions being written everywhere?

Our lamented colleague was a firm believer in our great dual form of government and in preserving it as it is. He was a splendid interpreter of the Constitution and defender of the rights of the States to control their own domestic affairs unmolested by the Federal Government or any other power under the sun. He believed in curbing Federal power and holding it within the lines drawn by its founders. He believed in the greatest good to the greatest number and in the personal rights of all in the pursuit of happiness.

He was every inch a man, in love with his country and his fellow man, and in his death the Senate lost one of its ablest Members and the Republic one of its noblest citizens.

Mr. President, this has been a year of calamity for this Chamber, and we may well resolve it into a lodge of sorrow while we give voice to our lamentations.

Perhaps at no period in the history of the Senate has the angel of death been so busy and aimed so high.

Many of the best and most useful men of the times have fallen—patriots, scholars, statesmen, the noblest and most lovable spirits who ever blessed any people in any land.

We can not understand why they have been called away from their great work, but let us believe that it is a part of the plan of Him who controls the destinies of us all and who holds us in the hollow of His hand.

They played their particular parts in the great scheme that God devised to lift humanity up out of oppression toward liberty and light and have been called to rest from their labors.

They were not surface men; they did not strut across the stage of public life as daubed and tinsel actors in slipper and buskin to swagger in mock heroics and give frenzied utterance to fictitious thought. They were builders. They chiseled and carved the materials that have gone into the structure of the temple of liberty to beautify and adorn it and make it enduring; they fashioned them into the similitude of truth and wisdom, and truth and wisdom come from God and are God.

The Senator whose life and character we now commemorate was not the least among those master builders. His life will be an inspiration to the younger generation who knew him and witnessed his rise in the world.

There is one valued lesson to learn from his success, and that is the essential importance of preparation. He prepared

for the battle before he entered it. He held diplomas from two universities and then finished a course in the law.

He twice declined the nomination for governor of his State; but his experiences in public affairs seemed to peculiarly fit him for the career of a Senator.

And that his people, who knew him best, were of this opinion was demonstrated by the vote he received as a Democrat in a Republican State of 73 out of a total of 100 in the legislature.

Sir, I offer this feeble tribute of appreciation to the memory of the man who within so brief a time impressed us all with his virtues and high attainments and taught us to love him in life and to cherish happy recollections of him in death.

Mr. SMOOT. Mr. President, when CHARLES J. HUGHES, Jr., entered the United States Senate at the beginning of the present Congress he looked forward to a long period of service, and the people of Colorado, regardless of party affiliations, had every reason to expect a most useful and brilliant career for him, his State, and his country. He was splendidly equipped for the duties required of a Member of this body, and few men possessed a more logical or well-trained mind. Scarcely had he been in the Senate a year until everybody became convinced of that fact.

Senator HUGHES was an indefatigable worker. When it became apparent that his health was fast failing him he was no less energetic in the performance of his duties, but even put forth greater efforts to accomplish more. During the present session of Congress I had the honor to serve on a subcommittee with Senator HUGHES in the consideration of important public-land legislation. The pressure of other work made it necessary for the subcommittee to meet at nights, and I do not recall a single meeting which Senator HUGHES failed to attend and in the deliberations and discussions of which he failed to participate actively, notwithstanding it was then plainly evident that he was in no physical condition for such strenuous work. In few men were there combined in such a marked degree the ability and energy so characteristic of Colorado's late Senator.

Senator HUGHES was a scholar in the fullest sense of the word. At 18 years of age he graduated from Richmond (Mo.) College, and before reaching his majority he received the degree of LL. D., from the University of Missouri and the University of Denver, indicating his early boyhood love for the law. From the day of his graduation until his last illness he was devoted to his profession. I know I am within the bounds of truth when I say that there have been few greater lawyers in the United States than Senator HUGHES. As a legal authority he was no stranger to the people of my own State; in fact, he was known throughout all the intermountain States as a man of sterling worth, unquestioned honesty, and brilliant intellect. His counsel was often sought when great questions affecting the interpretation of the mining and irrigation laws were involved.

Not only was he a scholar and a student, but he was also gifted with sound judgment in the great commercial affairs of life. His name is coupled with many of the industries of Colorado which go to make that State great. The future historian in recording the wonderful achievements of Western State builders will refer to Senator HUGHES as a potent factor in the development of Denver, the metropolis of the State of Colorado.

It is sad to contemplate the death of a friend, a brother, a sister, a father, or a mother; but rather would I look at death as a temporary separation, the beginning of a new life, a life better, nobler, and greater than the one through which we are now passing—an advanced step in God's eternal plan.

It is glorious to contemplate the joys and beauties of a well-spent life. The web of life is drawn into a loom for us all, but we weave it ourselves. We throw our own shuttles and work our own treadles. The warp is given us by our Creator, but the filling is of our own making. Everyone is the architect of his own home—his own temple of fame. If he builds a temple, great, glorious, and honorable, the merit and happiness are his; if he rears a house, polluted, unsightly, and ignoble, to him belongs the shame and misery.

The life of Senator HUGHES was not great in years, but great in achievements. His work in this mundane sphere of action has ended. He will be missed by his colleagues in this body and by his countrymen, but the greatest loss will be to his fond and noble wife and children, to whom he was a devoted husband and a loving father. May they have comfort in his honorable and successful life.

Mr. FLETCHER. Mr. President, the announcement of the death of Senator CHARLES J. HUGHES, Jr., by the resolution of January 12, 1911, shocked the Members of this body and his

demise saddened deeply all those with whom he had been associated.

Born in Kingston, Caldwell County, State of Missouri, February 16, 1853, he graduated from Richmond College, Missouri, in 1871, and received the degree of LL. D. from both the University of Missouri and the University of Denver. He married Lucy S. Menefee, September 1, 1874, and began the practice of law in August, 1877, and located in Denver in 1879. He taught school for some five years prior to that, and I have often thought that the best way to permanently fix in mind and memory the subjects studied in college is by engaging in teaching for a period after graduation. The accurate and firm grasp I observed that Senator HUGHES possessed on all matters which he had considered reinforced that view.

On the 11th day of January, 1911, he departed this life, leaving his widow and four children surviving him. His law practice covered a wide range of litigation, and in recent years he appeared on one side or the other of most of the important causes originating in his section of the country. He gave special attention, however, to mining and irrigation litigation and delivered courses of lectures on that subject at Harvard Law School and for many years was professor of mining law in the University of Denver. He was a tireless worker, never saving himself, but throwing his whole soul into whatever he undertook with a concentration rarely equaled and a devotion never excelled. He possessed a thoroughly trained mind. Quick of perception, accurate in analysis, logical in its operations and penetrating in power, it seemed easy and natural for him to see straight to the heart of any question and grasp fully its ramifications. Affectionate and kind in his disposition and nature, he especially lavished upon his family the wealth of his warm heart and richest hopes. His reading took a wide range, and his power of concentration was such that everything of importance became fixed in his mind so it could be readily brought forth for use when needed and constituted a vast fund of information which appeared always at his command. His memory was remarkable for its accuracy and clearness and strength. His power of expression was extraordinary.

Forceful, polished, and dignified, he made plain and lucid any subject he discussed. His command of language was never lacking, and his mental processes were those of a thinker and reasoner, honest and sincere always. He was elected United States Senator from the State of Colorado January 20, 1909, having been the unanimous choice of the State Democratic convention at Pueblo, September, 1908. He took the oath and signed the roll as a Member of this body March 4, 1909, and his term of service would have expired March 3, 1915.

Speaking of him a few days ago, one of the most experienced and eminent Senators said truly that he possessed to a marked degree three qualities which are peculiarly important for service in the Senate of the United States—physical, intellectual, and moral courage. During the short time he was permitted to serve here he took his place in the very front rank of master minds, and his usefulness to his State and the country would have commanded recognition such as the great men of the country have written in our history.

I never met Senator HUGHES until we both took our seats here in March, 1909. It was then my good fortune to be seated next to him and to be thrown with him daily. I esteem it a great privilege to have enjoyed his companionship, which on my part ripened into sincerest friendship. My esteem and admiration and cordial regard for him grew as the days passed by. It is with profound sorrow that I realize the end of that relation—except only in memory—and I mourn his loss as a friend and a colleague, and, in a broader sense, I deplore the country's loss.

Of course no words we can utter here can bring comfort to those of his household who were so near and dear to him, but the consolation which comes from the knowledge that he had faithfully met the responsibilities of husband, father, friend, citizen, and public official, and had impressed the rare qualities of his head and heart upon his countrymen, they have.

He was honored and is remembered because of his high character, ability, and industry. After all, any man has lived to great purpose who has built up, developed, and established such a character, "the one indestructible material in destiny's fierce crucible."

He won distinction at the bar; in the lecture room he was preeminent, and he merited the high honors which were tendered him by the people of his State. He was a close observer, a hard student, and thoroughly familiar with governmental problems. He enjoyed the most valuable quality which characterizes great men—capacity for and power of growth. Glad-

stone was an example of this power or capacity. Throughout a long and useful life he continued to develop, expand, and grow. So with our friend, every day his alert and comprehensive mind added to its store of knowledge or reached out in some new direction, thus broadening and extending his horizon.

In the records of this Senate and elsewhere the results of his labor and thought will be preserved. At times while here he was not in vigorous health, but he was always cheerful and gentle and always attentive to his duties. Sometimes I have seen him in action, when I was reminded of John Randolph, of Roanoke, who on one occasion, when an angry mob was endeavoring to prevent his speaking, declared:

My Bible teaches me that the fear of God is the beginning of wisdom, but the fear of man is the consummation of folly.

Again, I have seen him working when he was not able, and I thought of what Talleyrand said of Alexander Hamilton:

I have seen one of the wonders of the world; I have seen a man laboring all night to support his family, who had made the fortune of a nation.

The self-reliance and the brain-grasp characteristic of him are shown by his speeches in the Senate during the too brief period of his labors here.

His impulses were generous, his public spirit broad and deep.

His sympathy for humanity was of that nature which was not limited to ordinary politeness or etiquette, but measured up to a vital relation of life.

His love for his fellow man was something more than a sentiment—it amounted to a principle.

His religion, not a mere spasm, but a habit.

Being new Senators, occupying the back row and adjoining seats, we spent many pleasant moments looking over the Chamber and confiding to each other our impressions of our various colleagues. The veterans have not everything their own way. They can not deny to the novices the privilege of quiet, confidential, and good-natured comment of a personal nature. We took some delight in that pastime, and enjoyed the survey of the membership between ourselves. Sometimes we would liken the Senate to the famous school at Athens, in which Socrates was the first teacher. He was succeeded by Plato, and we would imagine one of the veterans of the Senate to be this autocratic successor of Socrates, clad in his purple robes, in charge of the school, at a time when Athens thrilled with thought and feeling. Then we would speculate who his successor would be. This school was conducted under the shade of the trees and vines and the pupils reclined on marble benches. We could picture that scene at times when Plato would take charge of the senatorial school and gather his pupils about him. Out of Macedonia came Aristotle, "with all his belongings tied up in a bearskin," to become the pupil of Plato, and subsequently his successor in the conduct of that famous school, when Pericles was delivering those powerful orations and Phidias was carving out of stone figures of exquisite beauty. Who is or is to be the Aristotle in this school? Many a pleasant hour we spent in wanderings and pleasantries of this kind, and I looked forward to the opening of this session with keen delight, in expectation that the attachment which had been so agreeably begun might become closer and stronger throughout our careers here.

It was not to be. The mysteries of life we no more understand than the mysteries of death. It seems about the limit of our knowledge and capacity is, "To do what we can, to do what we ought, and leave hoping and fearing alone." We humbly submit to the final decree, and observe—"Soft as the memory of buried love"—he is no more.

He will be remembered as the courteous gentleman, the kind neighbor, the warm-hearted friend, the ripe scholar, the profound thinker, eloquent orator, great lawyer, and wise statesman.

We can only hope, as we believe, he will experience beyond the grave—

The freer step, the fuller breath,
The wide horizon's grander view,
The sense of life that knows no death,
The life that maketh all things new.

Mr. GUGGENHEIM. Mr. President, I offer the following resolution.

The PRESIDING OFFICER. The Senator from Colorado submits a resolution, which will be read.

The Secretary read the resolution, as follows:

Resolved, That as a further mark of respect to the memory of Mr. ELKINS and Mr. HUGHES, the Senate do now adjourn.

The resolution was unanimously agreed to, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, February 13, 1911, at 12 o'clock meridian.